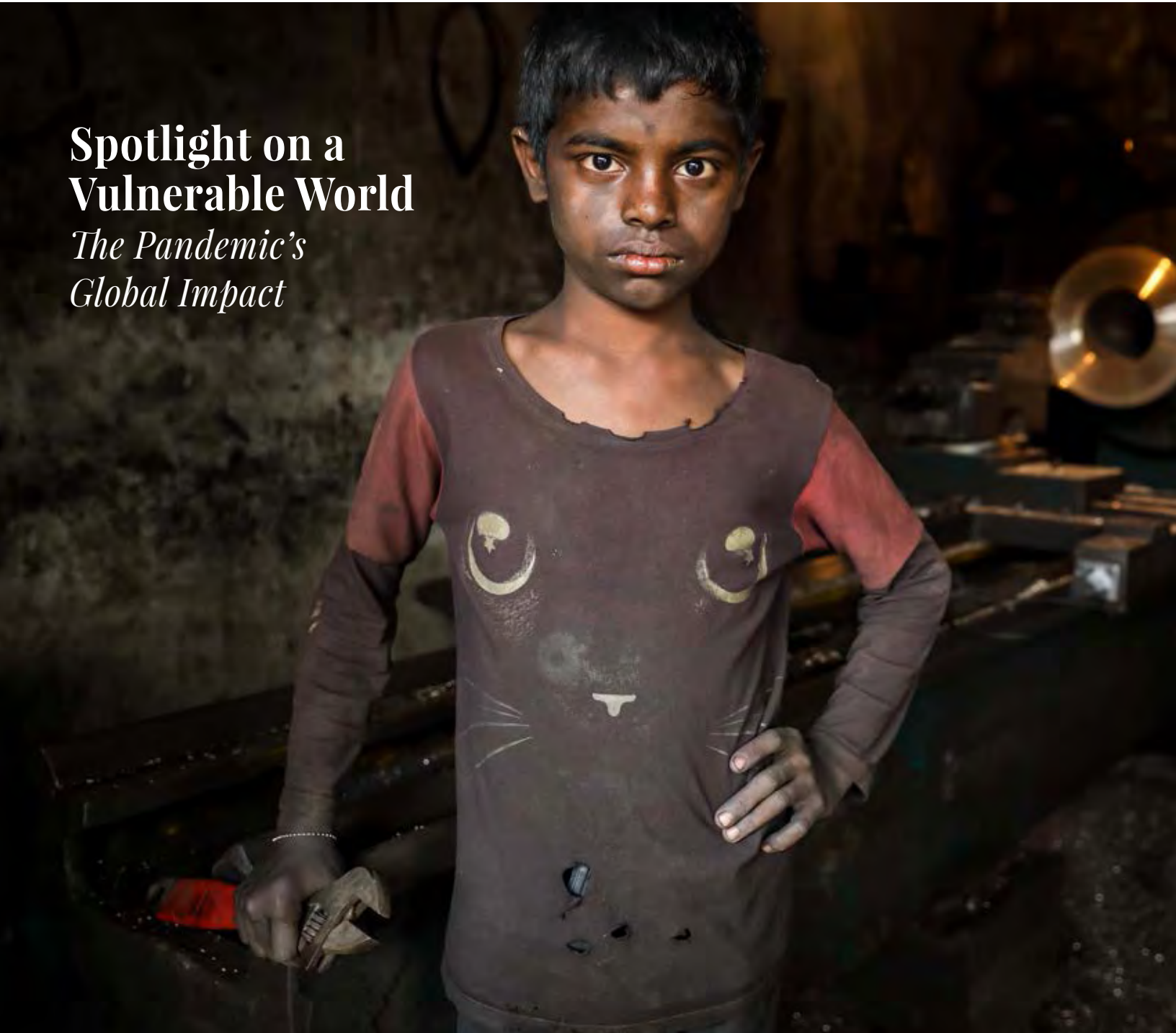


# 2020 FINDINGS ON THE WORST FORMS OF CHILD LABOR

## Spotlight on a Vulnerable World

*The Pandemic's Global Impact*



**The Technical Approach:**  
*ILAB's Projects at Work*

**The Year in Review:** *More Than One Hundred Years of Engagement – From Children's Year to the International Year of the Elimination of Child Labor*

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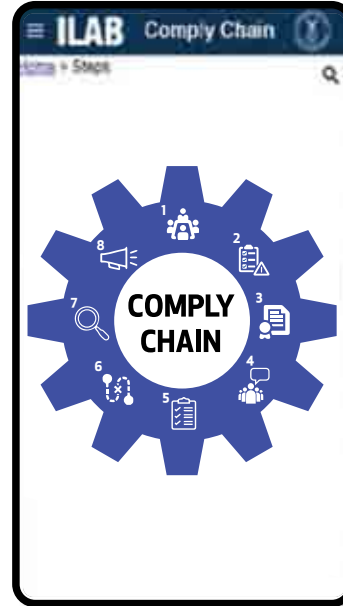
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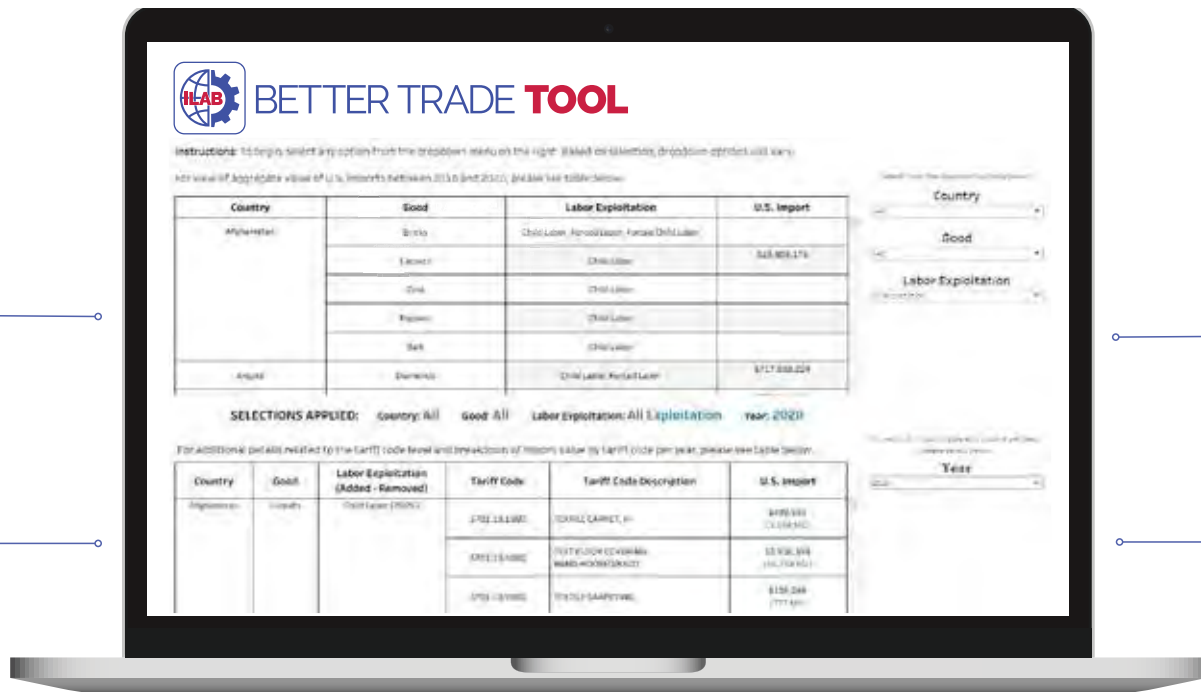
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Mofizul, age 7, sells vegetables in the market to support himself and his mother. Dhaka, Bangladesh. December 23, 2015.



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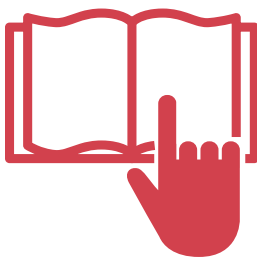
All three of the U.S. Department of Labor's (USDOL) flagship reports on international child labor and forced labor are available on our website in HTML and PDF formats at [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports). These reports include *Findings on the Worst Forms of Child Labor*, as required by the Trade and Development Act of 2000; *List of Goods Produced by Child Labor or Forced Labor*, as required by the Trafficking Victims Protection Reauthorization Act of 2005; and *List of Products Produced by Forced or Indentured Child Labor*, as required by Executive Order 13126. 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; specific goods produced by child labor or forced labor; efforts each country has made to implement their commitments to eliminate the worst forms of child labor in the areas of laws and regulations, institutional mechanisms for enforcement and coordination, and government policies and social programs; and specific suggestions for government actions to address the issue. You can also access the Department's new *Better Trade Tool* on our website at [dol.gov/BetterTradeTool](https://dol.gov/BetterTradeTool). This tool's dynamic dashboards and custom queries allows users to view potential child labor and forced labor risks in global supply chains and conduct U.S. import trade data analysis.



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## On Paper

The *Sweat & Toil* magazine is published in hardcopy and includes the *Findings on the Worst Forms of Child Labor* report. The magazine provides an overall summary of the *Findings on the Worst Forms of Child Labor* report, regional findings related to meaningful efforts made and gaps for countries to address, and the assessment levels of each of the 131 countries. Send an e-mail to [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov) to request hard copies or download them from the Department's website at [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports).





© Joerg Boethling/Alamy

Children panning for gold at the river. Vohilava, Mananjary, Madagascar. June 15, 2015.



# Foreword

The United Nations has designated 2021 as the International Year for the Elimination of Child Labor. It could not come at a more pivotal time. This summer, the International Labor Organization and United Nations Children’s Fund released the latest global estimates on child labor. Despite years of progress, these new estimates contain a troubling truth. Global estimates of children in child labor rose from 152 million to 160 million, leaving 1 in 10 children trapped in child labor.

Even before the COVID-19 pandemic, a number of factors may have undermined our progress over the past two decades. A decline in access to education and fragmented social protection systems left millions of children vulnerable to child labor.

The harmful consequences of the COVID-19 pandemic are not distributed equally, and these challenges will loom large in the years ahead. COVID-19 made groups that were already vulnerable to workplace exploitation—including migrant and indigenous communities, as well as women and girls—even more vulnerable. And children are the most vulnerable of all.

Eradicating child labor involves not just withdrawing children from child labor but making their families less vulnerable and more resilient. That means strengthening the voice and bargaining power of their parents in the workplace so that they have sustainable alternatives to child labor.

Our Bureau of International Labor Affairs’ Office of Child Labor, Forced Labor, and Human Trafficking is at the vanguard of efforts to end child labor and forced labor globally—at a time when this work is more urgent than ever. As the world leader in technical assistance projects to eradicate child labor and forced labor, we have worked with our partners around the world to assist vulnerable workers and communities

severely impacted by the pandemic. We also have used our world class research on these issues, including the only comprehensive global report on child labor—our flagship *Findings on the Worst Forms of Child Labor*—to raise awareness and provide concrete recommendations for action.

In our role as a knowledge generator, we put critical, actionable information about child labor and forced labor in front of governments, NGOs, workers, academics, and businesses. This includes the information in our two apps: *Sweat & Toil*, which puts more than 1,000 pages of research in the palm of your hand, and *Comply Chain*, which helps businesses root out child labor and forced labor from their supply chains.

A world free of child labor is an ambitious goal—and a worthy one. Children deserve a world where they are free to develop into successful adults.

I have fought for the rights of working people throughout my career, and I feel privileged to join a worldwide movement to eliminate some of the most egregious labor abuses, including child labor and forced labor.

In 2021 and beyond, let us build back better and move toward a brighter future for all our children.

*Marty Walsh*

Secretary of Labor  
September 2021



Marty Walsh  
Secretary of Labor

# Statement

Earlier this year, the U.S. Government made a pledge to recognize the International Year for the Elimination of Child Labor. For its part, the U.S. Department of Labor committed \$57 million in new funding to accelerate action to end child labor and forced labor. Included among the actions are expanding access to social protections for vulnerable children, workers, and families in the context of the COVID-19 pandemic; increasing companies' accountability for their supply chains with regard to workers' voice and labor rights; and creating an online platform to share with the public the tools, resources, research, and lessons learned that were developed through decades of U.S. Government-supported technical assistance programming aimed at eliminating child labor and forced labor around the world.

We make this pledge at a time when global child labor and forced labor remain grim realities, when urgent action is required to address the stalling of progress in 2020, and when the pandemic has created new and formidable challenges around the world. The most recent global estimates, released this year by the International Labor Organization and the United Nations Children's Fund, indicate that at least 160 million children are in child labor worldwide—an absolute increase of 8 million since the last estimates in 2017. Overall child labor rates stayed constant at ten

percent. Forced labor figures—standing at 25 million globally—are due to be updated at the end of this year.

This is not the world we want, but it is the world we live in. Since 2016, we have seen children's access to education dwindle and social protections continue to fall short. Children and their families also faced other destabilizing factors, such as the pandemic, armed conflict, state fragility, mass displacement and migration, climate change, and gender inequities—factors that left them even more vulnerable. These realities are unacceptable. We must fight for a world where children and their families do not have to make impossible choices and where forced labor is not tolerated.

To get there, the global community must redouble its efforts, and the Bureau of International Labor Affairs is leading the way. The Biden Administration is championing both racial and gender equity and workers' rights as pillars of its domestic and foreign policy. As President Biden has said, “No responsible American president can remain silent when basic human rights are violated.”

ILAB takes a holistic approach to addressing child labor and forced labor. We look at addressing child labor on socioeconomic, cultural, and political fronts, including through ensuring that parents can exercise their fundamental rights at work. Children's rights should





**Thea Mei Lee**  
Deputy Undersecretary for  
International Affairs

be central to our response, as should the needs of their families and communities.

This year's *Findings on the Worst Forms of Child Labor* offers concrete actions that governments can take to increase access to education; strengthen rule of law; advance human rights; and improve social programs to combat food insecurity, discrimination, and related challenges.

Our technical assistance and cooperation programming also takes a holistic approach. For example, many of the projects we fund promote children's access to quality schooling. Many also offer age-appropriate opportunities for children's participation in vocational training and apprenticeships. We fund projects to help address the root causes of child labor, including poverty and lack of access to social protections and projects that promote workers' rights and the occupational safety and health of children of legal working age, as well as adult workers.

ILAB, of course, is not in this fight alone. We actively support Alliance 8.7, which seeks to meet Target 8.7 of the Sustainable Development Goals to eradicate forced labor, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and to end child labor in all its forms by 2025. We come together as a community of nations,

international and regional organizations, workers' organizations, employer and business organizations, civil society organizations, academic institutions, and other stakeholders and networks wedded by a common purpose—ending child labor and forced labor through collective action.

We ask, particularly in light of the International Year for the Elimination of Child Labor, where the catalysts are that can accelerate action on child labor and forced labor, so that we meet the ambitious goal of ending these human rights abuses by 2025. We are heartened by the ongoing activities of Alliance 8.7, the ILO, UNICEF, other governments, and countless NGOs that are making their own pledges in honor of the International Year for the Elimination of Child Labor. We must keep going, together, in 2021 and beyond, for we are only as strong as our partnerships. Together, the global community must make a concerted effort to stand up for the rights of children everywhere. We must take the next five years to ensure children's access to education and strengthen social protections for children and their parents as we continue our work to eliminate these egregious labor abuses. Their futures are in our hands.

*Thea Mei Lee*

Deputy Undersecretary for International Affairs  
September 2021



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Malak, age 7, attends English classes at her local Makani center, Jordan, May 21, 2019.



# Acknowledgments

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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](mailto:GlobalKids@dol.gov). The reports also are available on the web at <https://www.dol.gov/ilab>. Comments on the reports are welcome and may be submitted to [GlobalKids@dol.gov](mailto:GlobalKids@dol.gov).





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Children work alongside adults at the Panique mining area, located about 10 kilometers outside the town of Aroroy on the Island of Masbate, Aroroy, Philippines. 2012.



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A girl working in a poppy field. Guerrero State, Mexico. April 29, 2016.

# PURPOSE OF THIS REPORT

## Research Focus of the Findings on the Worst Forms of Child Labor

The U.S. Department of Labor has prepared this 20th annual report, the 2020 *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 in 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) ILAB carries out this responsibility on behalf of the Secretary.

## 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 2020 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.



million working children

2030

million children in child labor

Working Children

Child Labor

Hazardous Child Labor

million children in hazardous child labor\*

\*Global estimates on the number of children engaged in categorical worst forms of child labor do not exist. Source: ILO and UNICEF. *Child Labour: Global estimates 2020, trends and the road forward*. New York, 2021.

## 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

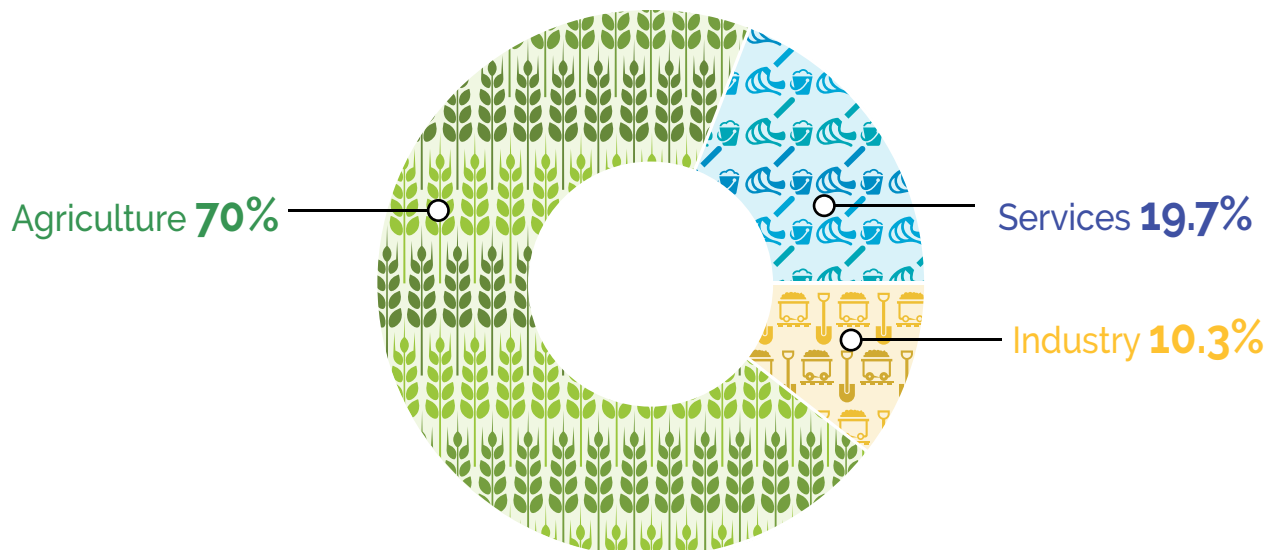
The reporting period for this year’s report is January 2020 through December 2020. In certain cases, significant events or government efforts that occurred in early 2021 were included, as appropriate.

## 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 Convention No. 138 on Minimum Age (ILO C. 138) and ILO C. 182. 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 under which it is carried out, is likely to harm the health, safety, or morals of children. (1; 5) 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.”

## Where 160 million children work Child Labor by Sector, 5-17 Years Old



Source: ILO and UNICEF. *Child Labour: Global estimates 2020, trends and the road forward*. New York, 2021.





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Miajul, age 12 and from Shyamol Palli in the capital city of Dhaka, sorts through hazardous plastic waste to support his family during the pandemic-related lockdown. Without any protection, he is exposed to infection and disease. Dhaka, Bangladesh. May 12, 2020.

# Spotlight on a Vulnerable World

As we take stock of the world's efforts to prevent and eliminate the worst forms of child labor in 2020, the global COVID-19 pandemic continues to impact societies and livelihoods worldwide, threatening to reverse global progress against child labor. To tell the story of the world's global efforts to combat child labor in 2020 is to tell the story of COVID-19 and its impact on the world's children; however, the story begins much earlier. It is true that even before COVID-19 spread around the world, our global progress toward the elimination of child labor stalled. According to recent estimates by the International Labor Organization (ILO) and the United Nations Children's Fund (UNICEF), the absolute number of children in child labor increased for the first time in two decades—from 152 million in 2016 to 160 million in 2020—while the percentage of children in child labor stayed the same at 9.6 percent. (6) Additionally, the number of children in hazardous work rose from 72.5 million in 2016 to 79 million in 2020. There are now nearly 87 million children in child labor in Sub-Saharan Africa—more than in the rest of the world combined. Meanwhile, absolute numbers and percentages of children in child labor have actually continued to decline in Asia and the Pacific, and Latin America and the Caribbean. In fact, consistent with that finding, each of the six countries that received the highest annual assessment of Significant Advancement in this year's report were in the Latin America and the Caribbean region. The latest global estimates also show that the majority of child labor is among boys, is rural and agricultural, takes place within families, and is deeply entwined with a lack of access to education.

As the world responds to the new challenges presented by COVID-19, the Bureau of International Labor Affairs (ILAB) sought to leverage its expertise as a knowledge generator to offer more insights into the reasons for the slowdown in progress to eliminate child labor over the last several years. Our research has found that gaps in access to education and a lack of access to social programs, coupled with key global trends that worsen child labor risks, have left children and their families even more vulnerable to labor and human rights abuses. In short, since 2016 and even before then, the world has responded with insufficient actions to address child labor. As a result, more children are victims of child labor, including its worst forms.



Access to quality education is key in the fight against child labor; nevertheless, within the past few years, there has been no progress in getting and keeping children in school. The latest global figures from 2018 point to the fact that the number of children, youth, and adolescents out of school has barely changed since 2015—nearly 260 million. (7) A large number of those out of school are in child labor. More than a quarter of children ages 5 to 11 and more than a third of children ages 12 to 14 who are in child labor are also out of school. (6) ILAB’s own research and analysis of international datasets shows that 49 countries and territories – or 37 percent of all the countries and territories in this year’s report – saw declines in primary school completion rates from 2012–2015 to 2016–2019. In addition, twenty-two countries and territories in this year’s report have witnessed declines of more than 3 percent in primary school completion rates in that time period.

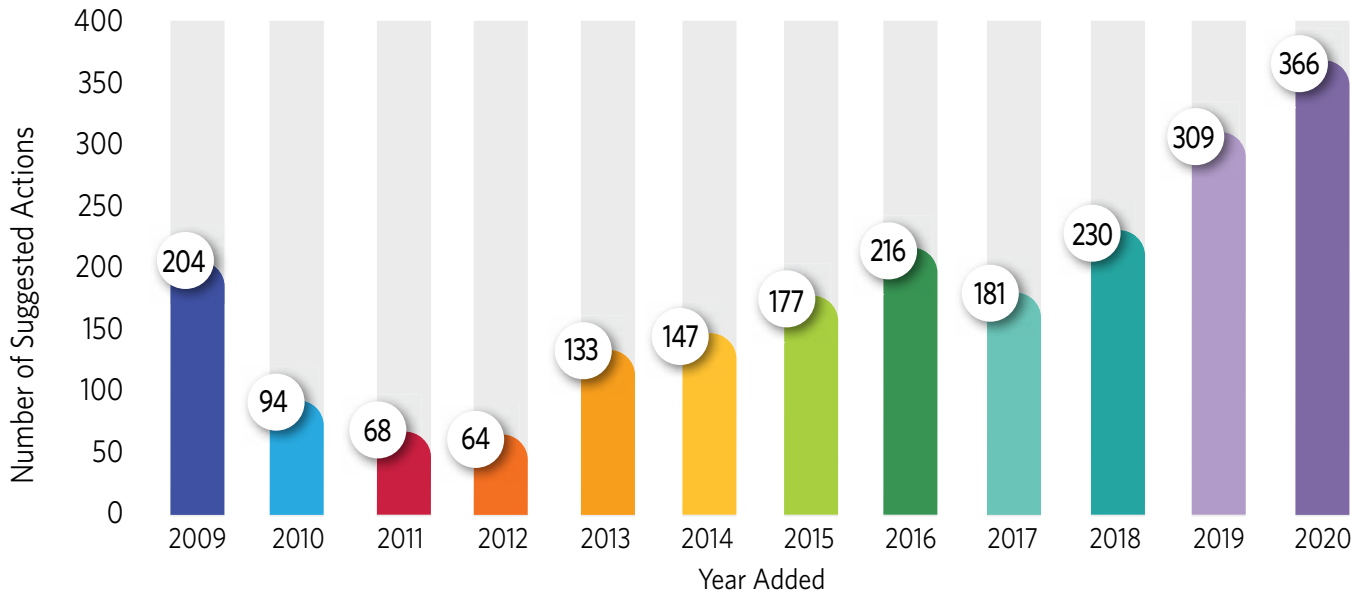
All this has taken place amid broader declining financial investment in projects designed to combat child labor. Funding for ILO-implemented projects to address child labor has declined over the past decade. (8) Even ILAB’s obligated funding directed to address child labor declined by more than one-third in nominal terms from nearly \$60 million in 2012 to \$40 million in 2020. (9) Beyond funding, ILAB’s research has shown that gaps in social protection have increased over time. In the 2016 edition of this report, we noted 23 new gaps in social programs across all reported countries and territories, including barriers to access to education and birth documentation, lack of child labor statistics, limited social program coverage, and poor implementation of those social programs. In 2017, the number of new gaps highlighted in our reporting

nearly doubled to 43 from the previous year. By 2018, that number reached 56, and grew again to 65 in 2019. Finally, in 2020, the number of gaps added for the first time related to social programs for all countries reached the astounding number of 90—nearly a 300 percent increase in the number of new gaps added since 2016. In total, of the nearly 2,200 suggested actions in this year’s report, almost a quarter are related to social programs, with nearly 40 percent of those social program suggested actions directed to countries and territories in Sub-Saharan Africa. See Figures 1–2 for more information on this year’s reported suggested actions.

Yet gaps in social protection and in projects designed to combat child labor are not the only reasons for stalled global progress. Children and their families also faced other destabilizing factors, such as the pandemic, armed conflict, state fragility, mass displacement and migration, climate change, and gender inequities. Additionally, a number of factors have impacted adult workers directly and limited their ability to secure decent work and even employment opportunities. Lacking stability themselves, adults are often left without the means to provide for their children and families. Some examples of these factors include structural inequalities in the labor market—embedded biases and marginalization of certain groups—as well as rising unemployment and lack of worker-centered protections that prioritize the worker’s input and voice, including on topics of occupational safety and health measures. The continued presence and outsized impacts of these factors on already vulnerable families may have increased the likelihood of children falling victim to child labor and its worst forms.

Figure 1

## Number of New Suggested Actions Added by Year



## Regional Breakdown of Suggested Actions by Report Area and Number

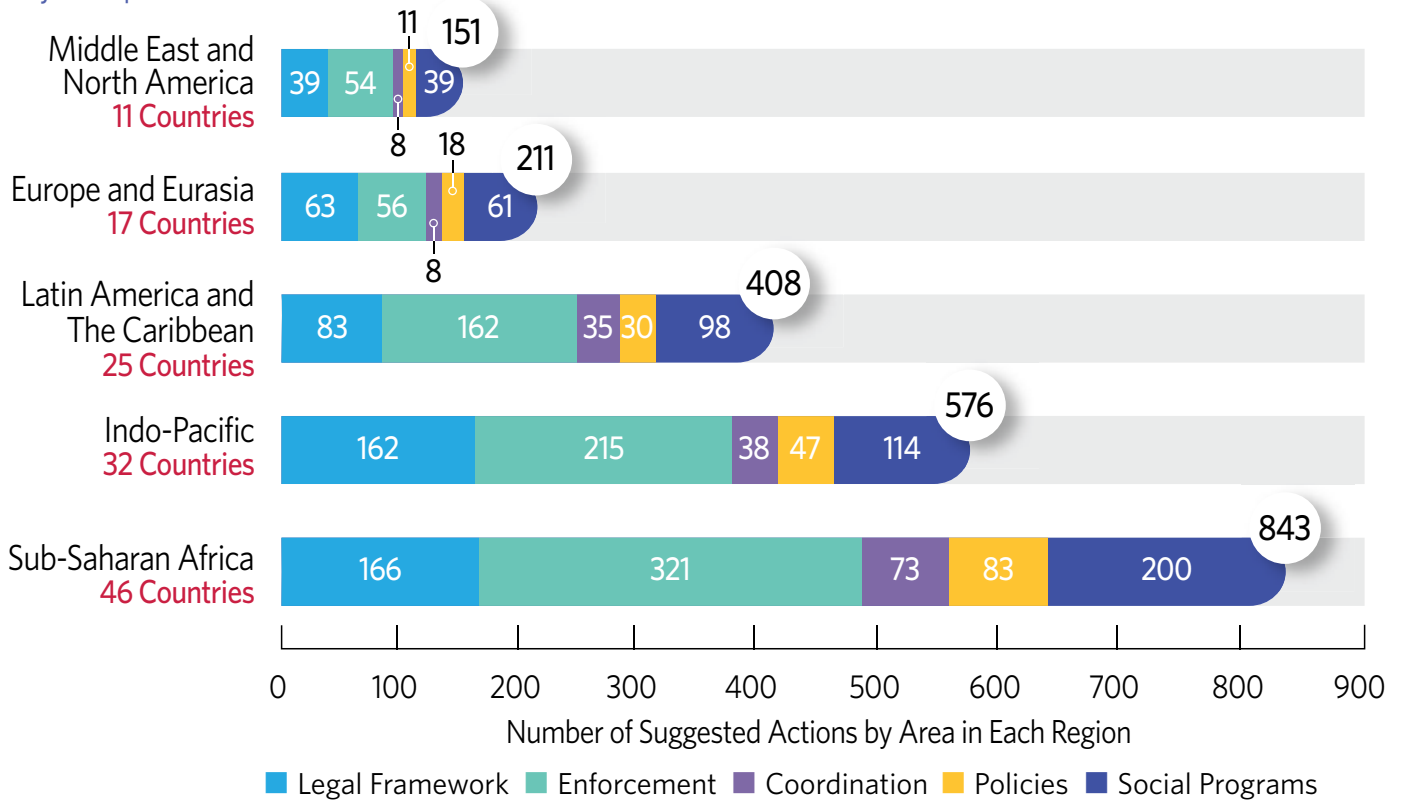
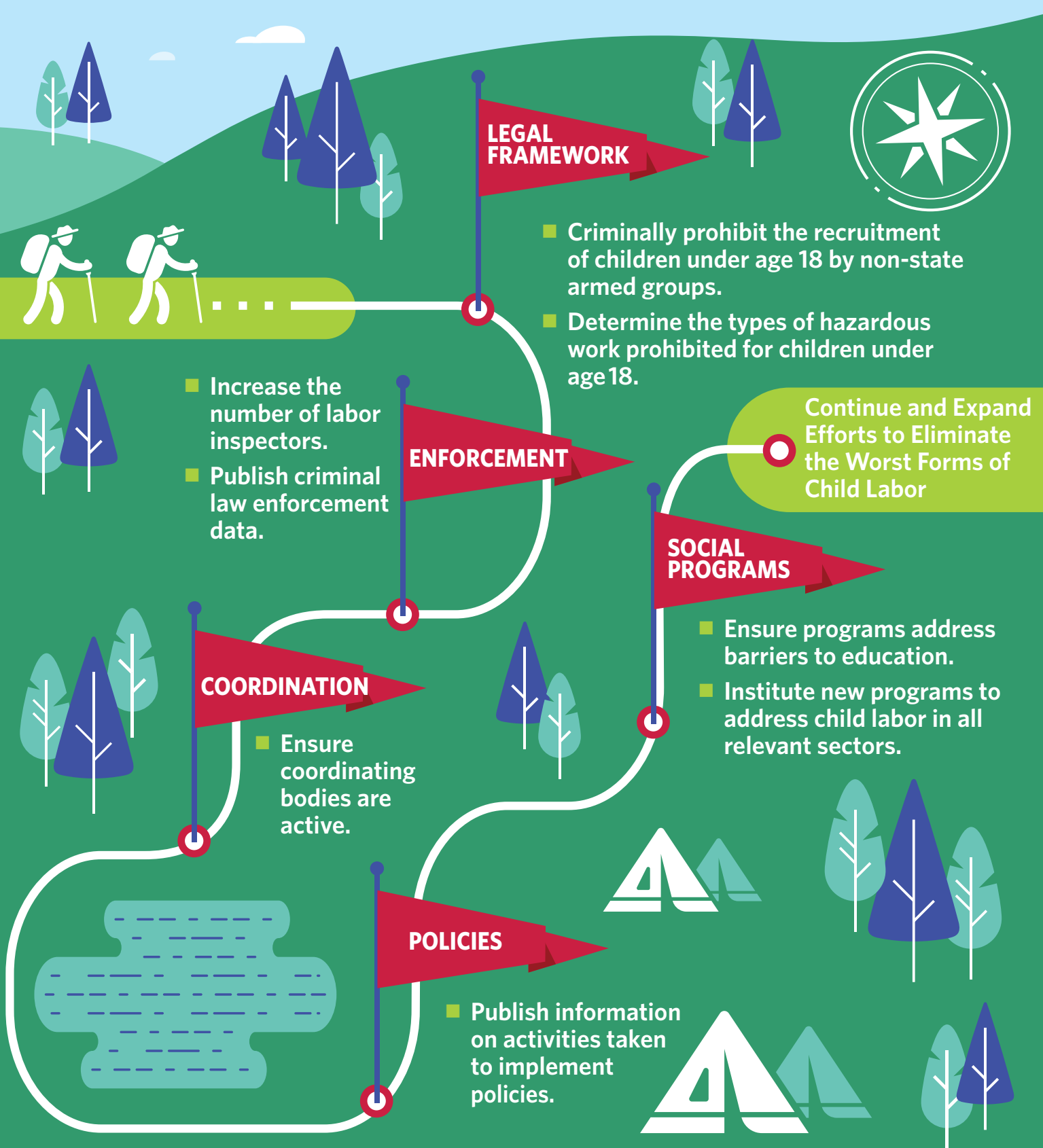




Figure 2

# Roadmap to Eliminate Child Labor

Most common suggested actions in ILAB's report



Analysis of broader trends from international reporting shows a lack of progress on matters of corruption, democratic freedoms, and efforts to address trafficking in persons, which can contribute to child labor.

Pervasive corruption often limits and diverts the flow of resources and support to the most vulnerable.

ILAB's analysis of countries and territories featured in our report and Transparency International's annual *Corruption Perceptions Index*, which ranks countries and territories by their perceived levels of public sector corruption, revealed that no tangible progress was made since 2012. (10) Similarly, declines in democratic freedoms diminish a government's ability to recognize and respond to human rights abuses that afflict its citizens. An analysis of countries and territories featured in our report and Freedom House's annual *Freedom in the World*, which measures democratic freedom, has allowed us to assess that the average score for countries included in this report actually declined by 4 percent from 2012 to 2020.

(11) Finally, by reviewing trends in efforts to combat human trafficking from the U.S. Department of State's *Trafficking in Persons* report from 2012 to 2020, ILAB discovered that global efforts on human trafficking have stagnated as well, as the average rankings have moved little since 2012.

A world that is more corrupt, less democratic, and in which trafficking in persons persists, leads to the tolerance and continuation of child labor. This history and context of the factors that led to the stalled progress against child labor are vital to inform our efforts. The data are a wake-up call. We cannot let our guard down in this fight.

## The Pandemic's Global Impact

While these global trends have contributed to the halt in global progress towards the elimination of child labor, the spread of COVID-19 has led to substantial disruptions in daily life. Initially, supply chain disruptions caused many companies to suspend operations as key inputs failed to materialize and

consumer demand evaporated amid new social distancing guidelines and lockdowns to slow the spread of the virus. Companies around the world furloughed and laid off millions or even shuttered operations. The resulting rise in unemployment diminished the ability of those without work to provide for their families and lowered standards of living, leading to a rise in poverty and reversals in progress in reducing child labor. Moreover, unscrupulous employers operating in the informal sector likely increased their economic activities to take advantage of this labor surplus, luring children and laid-off adults into unregulated jobs.

Adults, especially older adults and those with underlying conditions, are more vulnerable to COVID-19 than children; nevertheless, children must confront bleak futures in the tragic event of death or incapacitation of a parent or caregiver due to COVID-19. Children in this heartbreaking scenario are often driven to hazardous and exploitative work to help sustain their families' efforts to survive. The risks for children remain even after adults recover from the disease. Health care costs associated with treating ill family members can intensify financial stress on households. Additionally, the lack of appropriate personal protective equipment at worksites endangers workers' health and safety, as well as their families and communities.

The spread of the virus impacted children in ways far beyond direct exposure to the virus itself. In order to hinder the transmission of COVID-19, many governments closed schools. The inability to access schooling for any reason has long been a driver of child labor. With schools closed, families may encourage children to work, even in harmful conditions, to earn money for food and other necessities, especially as many children depend on schools for the meals they offer. School closures and reduced access to education could further increase opportunities to exploit and traffic children, particularly those whose parents or adult guardians struggle to bring in income on a daily basis. (12) Read more about the impact of the virus on children's education in "Box 1: Children and the Digital Divide."



Box 1

## Children and the Digital Divide

Much of the world has grown accustomed to virtual work meetings and digital learning. However, for many of the world's children, the closure of schools and the shift to online learning has not been successful. The pandemic, for example, is intensifying preexisting vulnerabilities among rural children broadly and children in more urban environments who face challenges accessing the internet. Prior to the pandemic, many children lacked ready access to digital tools that make online education possible. In some countries, a weak and shallow digital infrastructure took distance learning off the table from the start. In fact, 2.2 billion children—nearly two-thirds of all children—lack an internet connection at home, according to UNICEF. (13) This is most acute on the continent of Africa where less than a quarter of the population has any access to the internet. (14) With in-person access to school and child development services contracting globally, children in these communities may be left behind. Where there is digital access, children in many places face greater limitations on broadband access and/or a sufficient number of computers and mobile devices. Finally, schools are not just places of learning, but places for some children to secure a hot meal. As schools closed due to the pandemic, many children who relied on these meals and other social services provided by schools may have been pushed further into work and exploitation. In the end, despite the rapid proliferation of virtual meetings for many, a large number of children have been left on the other side of the digital divide.

Although forced to remain at home due to global stay-at-home guidance, sadly, for many, home is not a safe space. Since COVID-19, there have been increased reports of domestic abuse against children and partners. Domestic abuse is a key reason children run away from home. Many runaway children end up living in the streets, where they are vulnerable to exploitation, particularly in the commercial sex industry. Abused partners can face financial burdens and social pressures, increasing risks further.

As many government employees shelter at home worldwide, government labor inspectorates are performing fewer in-person worksite inspections. With inspectors unable to visit worksites, innumerable labor violations for both adults and children may go undetected and unaddressed.

Although COVID-19's effects on global child labor are still being analyzed, our reporting indicates a growing

risk for the world's vulnerable children. The ILO and UNICEF forecast that by 2022 the increase in poverty associated with COVID-19 is likely to increase child labor by 8.9 million. Experts also have raised concerns that the pandemic and subsequent measures to roll back the public health emergency (e.g., restrictions on public activity and travel, closures of schools and other public spaces, curbs on certain economic activities) will ultimately reverse decades of progress against child labor. Moreover, economic downturns and increased unemployment could place greater pressure on children as potential income earners, especially if their adult family members lose jobs and can no longer rely on safe or legal income flows. In the end, pandemic responses have placed a growing toll on public services, social protections, and international aid and remittance flows, especially among lower income countries, and this will further deteriorate the crucial safety nets upon which already vulnerable families rely. (15; 16; 17; 18; 19) Furthermore, this

vulnerability stemming from a lack of employment, food, and government stability can prompt or intensify conflict, and in the most serious of cases, even lead to or increase the use of children as soldiers in countries suffering from great insecurity.

Child labor is a risk for all children, yet for some children the risk is greater. Certain populations may be especially vulnerable to child labor and at particular risk because of COVID-19. It is likely that the pandemic and its socioeconomic consequences will intersect with long-standing risk factors related to gender, social and legal status, migration, and the rural-urban divide. Precise data and analysis of the potential impacts of COVID-19 on preexisting vulnerabilities, and how those preexisting vulnerabilities influenced COVID-19 infection and treatment, will be crucial to painting a fuller picture of child labor amid the pandemic. Read on to discover how the pandemic exacerbates key vulnerabilities to child labor.

## Risk on the Rise for Vulnerable Groups

The painful impact of this global pandemic is not distributed equally and weighs heavily on those countries least prepared to handle the shock, and already disadvantaged and vulnerable groups. The pandemic has compounded these already commonplace risks. These vulnerabilities are more severe for individuals of systemically oppressed racial and ethnic minority groups that face institutional and societal discrimination. As Secretary of Labor Marty Walsh noted in the Foreword, children are the most vulnerable group of all. Unfortunately, this year's report highlights more than 100 gaps related to vulnerable groups, ranging from children with disabilities, refugees, girls, and Roma children to LGBTQI+ children and indigenous groups, among others.

Migrants are particularly vulnerable to labor abuses. Millions have left their homes for jobs elsewhere in their own countries or in other parts of the world. Even before the pandemic, migrant populations—adults and children—faced the risk of empty promises from labor brokers with respect to wages and employment, large debts incurred, and even confiscation of identity documents leading to forced labor. COVID-19's socioeconomic ramifications intensify labor abuse risks among migrants and displaced populations who, as a result, will likely face additional socioeconomic, political, and legal hardships. As governments maintain some restrictions on transnational movement and public activities, these restrictions will likely place even greater pressure on refugees, as well as on families and communities that depend on migration for jobs and income. Migrant children and their families have especially precarious access to resources such as schools, decent work, and social services—resources that governments have further restricted due to the pandemic. This will exacerbate their vulnerability to poverty and exploitation, including child labor. Read more about the dangers faced by migrant workers during the COVID-19 pandemic in Box 2.

Additionally, there are many risks to indigenous populations. Certain castes and religious minorities have long been vulnerable to labor abuses, facing centuries of historical discrimination. These populations often face discrimination and challenges in accessing educational opportunities to secure a solid foundation for decent work in adulthood. Many of the millions of indigenous peoples and castes and religious minorities have long worked in the informal economy, falling outside the scope of formal social protection schemes and lacking access to reliable financial and medical support in times of crisis. (20) These challenges have only grown more daunting in the age of COVID-19.





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Syrian refugees from Kobane harvest cotton by hand for low wages for a Turkish farmer. Asmali, near Adana, Turkey. October 17, 2014.



## Box 2

## Most Vulnerable of All: Migrant Workers and Their Children

Vulnerability to child labor has skyrocketed during the pandemic, increasing due to trends like lack of access to education and social protections. Among those most vulnerable are migrant children and the children of migrant workers. (18) Evidence has already shown that the pandemic has disproportionately affected migrant workers and their children, in terms of both risk of infection and economic uncertainty. (21) Even as countries begin to reopen and rebuild, it is essential to focus on the challenges that migrant children and the children of migrant workers continue to face.

As lockdowns resulted in school closures globally, migrant children were least likely to benefit from efforts to ensure access to education, such as online or broadcast learning. Migrant children were more likely to lack the necessary equipment or resources, such as an internet connection or computers. (21) Without access to ongoing education and reversing the declines in pre-primary education and primary completion rates, migrant children may fall further behind than their peers and remain vulnerable to exploitative labor situations. In Thailand, for example, the government closed schools for Burmese migrant children because teachers lacked appropriate work credentials, which pushed children into dangerous and low-paying illegal jobs in the seafood industry. Additionally, even though some Burmese children could enroll in Thai public schools, the language barrier and the onset of COVID-related economic difficulties led them to drop out of school altogether and continue working. (22)

Out of school, and in some cases lacking food and income, children in some countries have taken to the streets to survive. (23) In these situations, they can fall prey to human trafficking, commercial sexual exploitation, and other abuses, with some families reportedly even taking the tragic step of selling their children into commercial sexual exploitation to obtain food and meet basic needs. (24) Furthermore, social distancing measures and travel restrictions

intended to stop the spread of the virus also have led to an increase in sexual and domestic violence against girls, who may be unable to escape abusive environments due to these travel restrictions. The situation is even more dire for migrants, who may fear seeking assistance because of their immigration status. (25)

Although efforts to stop the spread of COVID-19 have impacted all sectors of society and allowed many workers to work remotely, migrants, in particular, tend to work in informal or low-wage industries where telework and social distancing are not an option, and in jobs that are more likely to have disappeared during the pandemic. In Turkey, hundreds of thousands of Syrian refugees and migrants who overwhelmingly work in the informal sector lost their jobs, and a lack of access to personal protective equipment made finding new work even more difficult. Furthermore, the lack of access to health care, particularly for household wage earners, made an already precarious economic situation more desperate, pushing other family members into exploitative work that they otherwise would not consider. (26) As migrant families bear the brunt of the pandemic-related economic downturn, the risk that their children will go to work to support the family increases. (18)

To address these challenges, programs designed to understand and meet the specific needs of migrants are critical. The U.S. Department of Labor's Mexico and Northern Triangle (El Salvador, Guatemala, and Honduras) technical assistance projects seek to address the root causes of migration in response to the impact of COVID-19 on child labor. As countries begin to ease restrictions and reopen schools and businesses, renewed global efforts to combat child labor will need to place specialized attention on migrant children's needs to ensure that the pandemic-related increase in child labor is not an enduring trend.



## A Disproportionate Impact: The Risk to Girls

Growing up is challenging in the best of circumstances; however, the pandemic has put girls at particular risk in many regions and communities. In areas with widespread preexisting issues of commercial sexual exploitation, for instance, the pandemic has placed girls at even greater risk of being exploited, or being trafficked for either labor or sex. See “Box 3: Dangers Downloaded: New Technology and Its Terrible Link to the Commercial Sexual Exploitation of Children” to learn more. This is in addition to the risks that arise as a result of domestic violence, school closures, and loss of employment and income.

Even without the added pandemic effects, girls have long faced disadvantages in education. When a family with limited resources is faced with the difficult

choice of choosing between an education for their sons or daughters, girls may often be the last enrolled and the first withdrawn from schools. Sadly, in some countries, traditional views hold firm that an investment in a girl’s education is an unnecessary cost when weighed against the immediate financial benefit to the family of sending her to work. It is not just finances: girls also face limits in accessing education when schools are far from home and getting there requires a risky journey, often with unsafe and unreliable transportation. Additionally, a number of schools offer inadequate water and sanitation facilities. Girls also face added demands as caretakers for ill family members and are sometimes burdened with increased domestic chores that further diminish their educational opportunities.



## Dangers Downloaded: New Technology and Its Terrible Link to the Commercial Sexual Exploitation of Children

**T**echnology has proven to be a double-edged sword during the pandemic. On the one hand, video calling and conferencing platforms have enabled communication among families, friends, and colleagues who are apart—and have made virtual schooling possible for students at all levels of education. On the other hand, children are more vulnerable than ever to online sexual exploitation due to the effects of national lockdowns, school closures, economic downturns, and heightened screen time.

Commercial sexual exploitation today still means that children or adolescents are being recruited, bought or sold, and used in prostitution, pornography, or pornographic performances, sometimes as a result of human trafficking. However, before the rise of the internet and the use of technology, criminals relied on in-person networks to perpetrate these crimes, restricting them to well-known tactics and methods. Rapidly developing technology and an increase in cheap, high-speed internet access have facilitated an uptick in commercial sexual exploitation of children online. Perpetrators have moved to virtual environments, enabling them to make contact with children, commit crimes, and hide their identities more easily than ever. Perpetrators commonly use social media sites, mobile messaging apps, and private chat rooms to lure children with false promises and “groom” them for sexual purposes. Livestreaming of pornographic performances by children also has become more prevalent in recent years. In the Philippines, for example, children are induced to perform sex acts on live internet broadcasts in windowless dungeon-like buildings commonly known as “cybersex dens.”

The situation has become much worse during the pandemic. With more children spending time online, the U.S. National Center for Missing & Exploited Children received 21.7 million reports of child sexual exploitation around the world through its CyberTipline in 2020, which is a 28 percent increase over the previous year. (27) Cambodian authorities also noted that 15 percent of children reported having

been contacted by strangers on social media, and 2 percent reported that they have been asked to share intimate pictures or videos, or perform inappropriate acts in front of their webcams. Additionally, authorities in Mexico reported a 73 percent increase in online child pornography distribution during the pandemic, while SaferNet, a Brazilian NGO that combats internet crime through anonymous reporting, reported nearly 100,000 complaints of child pornography in 2020—more than double the amount received in 2019. (28)

In response, governments around the world had to adapt quickly and respond not only to COVID-19, but also to these increased vulnerabilities that resulted from it. For example, Thailand made its dedicated task force, Thailand Internet Crimes Against Children, into a permanent government agency. Mozambique revised its Penal Code to specifically address and prohibit trafficking for the purposes of child prostitution and pornography, recognizing the threat of online recruitment and children’s increased vulnerability due to virtual schooling. Likewise, Ukraine passed a law that criminalized viewing and storing child sexual abuse materials. (29) And in Georgia, the Prosecutor’s Office strengthened the capacity of its law enforcement by conducting training for prosecutors and investigators, covering online sexual exploitation of children and usage of cryptocurrency within the sphere of child pornography.

As technology continues to advance, this egregious abuse of children will evolve and emerge in new forms. The use of the internet by criminals allows online sexual exploitation to occur across multiple countries with perpetrators and victims scattered around the globe. To meet the pressing need of protecting children from exploitation online, stakeholders must adopt a collaborative approach to keep up with technological advancements, ensure that strong legal frameworks are enforced both nationally and internationally, and continue to adapt to the ever-evolving intersection of technology and crime.

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Shoeshine boy at work. Antigua, Guatemala.  
December 19, 2012.



## Child Labor in the Gig Economy

Among families in informal work sectors, the pandemic also is worsening vulnerabilities related to labor protections and decent employment. As an alternative to dining in restaurants in 2020, much of the world turned to app-based meal delivery, yet little did diners know that child labor sometimes lay behind the convenience they enjoyed. In Brazil, for example, investigations uncovered children allegedly working for app-based food delivery companies. These children used accounts registered with relatives or friends to sign up as delivery workers as school closures drove them to seek work in gig jobs, which offered less in the way of employment benefits, protections, and oversight. (30) Brazilian labor law permits children to work, in some cases, from the age of 16, yet it does not permit children to work in hazardous conditions such as food delivery by bicycle in urban areas such as Rio de Janeiro and São Paulo. Despite the laws, social media sites were stocked with tips to overcome identity checks on the apps.

## A Decision to Build Back Better

At ILAB, we believe that a holistic approach that places children's rights at the center has the best chance of success in eliminating child labor. Amid the ongoing COVID-19 pandemic, we must be mindful of the broader development challenges to ending child labor, such as barriers to education and employment, limited decent work opportunities for adults, weak rule of law, discrimination, human rights violations, cultural norms that support child labor, food insecurity, community violence, and other obstacles.

Our reports, policies, and programs tackle child labor within this broader context. All data and research from our information-packed reports also are available in the mobile app *Sweat & Toil*, which allows users to

access more than 1,000 pages of research from this and ILAB's other reports.

ILAB's reports provide critical and actionable information to inform U.S. trade policy, to allow Federal Government agencies to safeguard federal procurement and prevent the importation of goods made with prohibited labor, as well as to help foreign governments build their capacity to prevent and eliminate the worst forms of child labor. With the United Nations declaring 2021 as the International Year for the Elimination of Child Labor, ILAB looks to play a role in building back better and creating a more hopeful future for the world's children.

## Global Research in a World at a Standstill

At ILAB, we employ a systematic and rigorous process, supporting the collection of in-country data, traveling to conduct firsthand research in hard-to-reach places, and corroborating reports of labor abuses with credible international and local sources. This approach helps ensure the credibility and validity of our publications. Closed borders and global quarantines have limited some of our research efforts that would otherwise involve direct contact with government officials and civil society groups. The evacuation of staff from U.S. embassies and the rightful focus of foreign governments on addressing the existential threat of COVID-19 made timely data collection and research related to child labor and forced labor more challenging for this year's report. We applaud the efforts of our colleagues and partners, foreign and domestic, to persist in their important work since COVID-19 swept the world, notwithstanding the challenges. Despite these challenges, our work continues as we explore new ways to connect virtually with existing partners and even build new digital connections. We are proud to share this year's report as we work to reverse the setbacks over the past 4 years and continue the global fight against child labor, forced labor, human trafficking, and modern slavery. For more information about our efforts to support the private sector, see Box 4.

## Box 4

## Comply Chain: Strengthening Systems to Combat Child Labor and Forced Labor

While our reports provide practical knowledge and raise awareness, ILAB has developed tools to help companies play a positive role in the global fight against child labor. [Comply Chain](#) is one of those tools and, given the profound risks during the ongoing pandemic, is even more relevant and useful with new examples and topics to reinforce corporate action. *Comply Chain* is an app designed to provide companies with a step-by-step guide to address child labor and forced labor in their global supply chains. For their part, business enterprises have the responsibility of respecting human rights, including by avoiding causing or contributing to adverse human rights impacts through their own activities; *Comply Chain* helps them achieve that. Corporate actors are responsible for providing victims with access to effective remedies and for seeking to prevent or mitigate such impacts that are directly linked to their operations, products, or services through their business relationships.

Private sector leadership, for example, can ensure that combating labor abuse in supply chains is a necessary and standard way of doing business. Labor is part of the solution to positive business transformation, and *Comply Chain* also is a tool for workers and civil society groups to advocate for positive change and help ensure that business works for workers. ILAB also is leveraging its technical assistance projects to get the app into more hands and improve it as a resource. The [Cooperation On Fair, Free, Equitable Employment \(COFFEE\)](#) Project, for example, partly centers on the creation of a global compliance system and toolkit with *Comply Chain* as a resource to enable industry

actors to implement robust and sustainable social compliance systems. It also provides guidance materials and trainings for key stakeholders in the global coffee sector to reduce child labor, forced labor, and unacceptable working conditions in business operations and supply chains. The project is piloting a subset of these tools with private sector and industry association partners in three key coffee-producing countries—Brazil, Colombia, and Mexico. The pilots themselves will provide opportunities for expansion and replication. Lessons learned from these pilots will be used to refine the global compliance system and toolkit.

*Comply Chain* is now available for the first time in Malay – to complement the existing English, French, and Spanish versions. Malay is a common language across Southeast Asia, spoken by nearly 300 million people in Brunei, Indonesia, Malaysia, and Singapore, as well as parts of Thailand. ILAB added this Malay translation to help drive government and private sector action to address child labor and forced labor and to allow for wider adoption of *Comply Chain* as we create new opportunities to support ILAB's mission.

Moreover, ILAB's own [List of Goods Produced by Child Labor or Forced Labor](#) has focused considerable attention on forced labor in Malay speaking countries in recent years. The list includes palm oil, produced by forced labor and child labor in Malaysia, in addition to electronics, garments, and rubber gloves produced with forced labor in Malaysia. Other goods on the *List of Goods Produced by Child Labor or Forced Labor* in Indonesia and Thailand are fish in both countries; rubber, footwear, tin, gold, and tobacco in Indonesia; and sugarcane, garments, pornography, and shrimp in Thailand.

## The Technical Approach: ILAB's Projects at Work

ILAB does more than provide resources like our reports or our apps. ILAB also partners with numerous organizations that implement our international technical assistance projects. These implementing organizations (or grantees) are coping on a daily basis with the pandemic's impact on vulnerable workers, children, and families. A number of grantees have already proposed and implemented targeted efforts to raise awareness of the danger posed by the virus and how it may be increasing vulnerability to exploitative labor. The examples below provide a brief snapshot of how ILAB's technical assistance partnerships are directly targeting the resulting issues from the pandemic in the Latin America region.

In Mexico, the World Vision-implemented [Campos de Esperanza](#) (Fields of Hope) project used leaflets, posters, and radio broadcasts to get the word out about the risks of COVID-19 to children and families working on sugar and coffee farms in remote communities. In many cases, these people lack access to basic news and information. They also are collaborating with local authorities in Oaxaca and Veracruz to disseminate information about the impact of COVID-19 on children, families, and communities, and how to access medical services beyond the areas where the project works. Additionally, the project is working alongside communities to implement appropriate sanitation practices following recommendations from the World Health Organization (WHO) and the Government of Mexico.

In El Salvador and Honduras, as the pandemic and extreme weather events in 2020 presented unprecedented new challenges, the Youth Pathways Central America (YPCA) project shifted its focus to supporting opportunities for virtual schooling for vulnerable children and virtual training for youth. The YPCA provided digital learning and socio-emotional support to bolster the Ministry of Education's efforts to connect youth, teachers, and parents. The project also provided basic school supplies, such as school kits,

that afforded children in poverty the necessary resources to study at home. Additionally, the YPCA distributed in-kind food and hygiene kits through the project's school coordinators in collaboration with school principals.

Through the [Avanza](#) and [Palma Futuro](#) projects in Colombia and the [Okakuaa](#) project in the Paraguayan Chaco region, Partners of the Americas used SMS texts and radio-based public service announcements to disseminate information on self-care, spotting COVID-19 symptoms, and what to do if workers experience these symptoms. Additionally, the [Okakuaa](#) project educated employers and workers in Paraguay about government assistance programs available to those impacted by the crisis.

Also in Colombia, the [Escuela Nacional Sindical](#), through Labor Law Enforcement Centers (LECs), will launch a communications campaign aimed at workers in several sectors—cut flowers, mining, palm oil, ports, and sugar. The campaign will provide tips and responses to workers' frequently asked questions and complaints that stem from COVID-19 issues, such as contracts being suspended or collective bargaining rights being violated. The LECs also are tracking and publicizing the main labor violations reported in these sectors that are the result of employer actions during the pandemic. Additionally, the LECs are offering virtual legal assistance to workers with labor complaints and promoting legal protocols that worker organizations or labor NGOs can use to help better organize effective legal actions for workers.

ILAB also is gathering information from our grantees about the impact of COVID-19 on vulnerable workers and their families. For example, researchers at the University of California, Berkeley, are conducting an impact evaluation of awareness-raising campaigns targeting human trafficking and have modified their approach to use safe and socially responsible methods to collect additional information on the impact of COVID-19, in particular on the potential exploitation of migrant domestic workers in Hong Kong.

Finally, ILAB is working directly to address the urgent needs of workers, employers, national governments,



and buying partners in the ready-made garment sector as a funder of the Better Work program, having allocated \$23 million to the program since 2009. Through the Better Work program, the ILO and International Finance Corporation are disseminating workplace health and safety guidance in local languages in a simple and actionable form. (31) They also are providing technical advice to factories and brands facing unexpected compliance issues resulting from closures and coordinating information campaigns

and training with WHO and national partners. Moreover, they are engaging international buyers, national and international constituents, and other institutions to explore opportunities to support and protect suppliers and their workers during the period of economic shutdown. For more information about how ILAB is working with its grantees and partners across the African continent, see “Box 5: New Solutions to Old Problems in Africa.”

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### Box 5

## New Solutions to Old Problems in Africa

As the COVID-19 pandemic spread to the African continent, many of the staff of ILAB-funded technical assistance projects on the continent confronted this new reality of the deadly virus—a reality that was a challenge as many project tools and work rely on in-person training and/or face-to-face engagement. Many of the projects took bold steps to adjust programming and operations in order to combat child labor in the midst of this global pandemic.

In light of the precautions taken to limit the spread of COVID-19, the [Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana and Côte d'Ivoire](#)—or FLIP—project quickly pivoted from in-person larger scale trainings into a hybrid/virtual model and leveraged an interactive platform and curriculum to continue to carry out effective programming.

Like the FLIP project, the [Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives](#)—or RICHES—project sought the safe implementation of activities. To address this challenge, the project digitized the RICHES curriculum and the Entrepreneur Assessment of Business Risks checklist. This helped to mitigate the risks of conducting fieldwork, address in-person training and tool distribution limitations, and increase the use and sustainability of these solutions. This was especially important given the additional pressures

on women entrepreneurs to make ends meet during the pandemic, the increased risk of child labor, and the limits on in-person instruction due to COVID-19-related restrictions.

As part of the COVID-19 response plan for the [Adwuma Pa project](#)—Empowering Women and Girls in Supply Chains—personal protective equipment, such as hand sanitizer, face masks, and hygiene kits were distributed to all 80 project communities via the municipalities and districts to promote pandemic-free communities and increase prevention and safety protocols. The project also conducted a virtual training, jointly organized by the project and the Cocoa Sustainability Initiative, for 30 representatives of select state agencies in all project districts in July 2020 to emphasize the importance of including a gender and inclusion lens in risk communication and community engagement, and addressing stigma, discrimination, and gender-based violence.

At the end of 2020, ILAB had 49 active projects in 45 countries, many in Sub-Saharan Africa. ILAB is proud to fund all of its projects, each working to overcome the challenges of this global pandemic to deliver real results to the millions of children and adults who continue to suffer labor abuse. Like many of our partners, we look forward to the return to in-person and face-to-face interactions, and a more hopeful future free of child labor and forced labor.

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## Toward a More Hopeful Future

Although this pandemic has highlighted many harmful labor abuses, it also has demonstrated the need to focus our attention and efforts on realizing the promise of the International Year for the Elimination of Child Labor. This pandemic also has confirmed that our challenge to eliminate child labor depends on addressing the fundamental drivers of vulnerability. To remedy the standstill in global progress on child labor, we must address the persistent lack of access to education and the additional lack of adequate social protections, as well as other destabilizing factors such as armed conflict, state fragility, mass displacement and migration, climate change, and gender inequities. As Secretary of Labor, Marty Walsh remarked at the release of the latest global estimates on child labor,

“We achieved progress thanks to decades of collective international action. But that progress could be reversed if we are not vigilant. We must be willing to make the investments and changes needed to put children and workers at the center of our efforts.” We at ILAB believe that we must view child labor through a holistic lens in order to end it and improve the well-being of all, especially those who are most vulnerable. Addressing labor exploitation in a community results in broader development gains, such as heightened economic growth, increased food security, and strengthened public health outcomes, as well as improvements in equity and decreased discrimination. Only by working together can we achieve this holistic mission. In partnership, each of us—government, civil society, workers, and businesses—can make an invaluable contribution and help turn the page on this devastating pandemic and build back better for all our children in the years to come.



©Adam Dean/Panos Pictures

Child jockeys race past spectators who are perched on a wall and even in trees during a preliminary round of the Regional Police Chief's Cup 2019. Bima, Sumbawa, Indonesia. 2019.



# ILAB's Projects Addressing COVID-19

ILAB funded **52** active projects & initiatives within **45** countries in 2020.



**Campos de Esperanza, Mexico**

Provided COVID-19 information to over 5,300 sugarcane cutters and trained more than 545 sugar mill employees on COVID-19 prevention strategies in the fields and mills.

**Paraguay Okakuaa, Paraguay**

Launched a communications campaign to disseminate information on self-care, identifying COVID-19 symptoms, and what to do if symptoms are identified among workers.

**MAP 16, Morocco**

Supported distance learning efforts to prevent the exploitation of children, especially girls in domestic labor, due to the challenging economic situation caused by COVID-19.

**Adwuma Pa, Ghana**

Distributed hand sanitizer, facemasks, and hygiene kits to 80 communities to increase COVID-19 prevention and safety protocols, and trained police and health officials to assess risks females may face due to COVID-19, including discrimination and violence.

**Sakriya, Nepal**

Provided over 3,000 vulnerable families with critical supplies during COVID-19, which included masks, soap, and food.

**FAIR Fish, Thailand**

Distributed personal protective equipment and occupational safety and health information to 2,400 migrant workers in the seafood processing supply chain.



# Making an Impact



Demonstrating commitment and leadership in the worldwide movement to end child labor, which has contributed to a global reduction of 86 million child laborers since 2000

Providing education and vocational training opportunities to nearly 2 million children



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

Improving livelihoods for nearly 200,000 vulnerable families



Training more than 65,000 labor inspectors and law enforcement officials

Providing more than 69,000 teachers with training to work with children affected by child labor



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

Visit [www.dol.gov/EndChildLabor](http://www.dol.gov/EndChildLabor) to learn more



© Raphael Pouget/UNICEF/UNI371418

After several months of school closures due to the COVID-19 pandemic, Mauritanian students in their final year of elementary school were finally able to take their exams by adhering to preventive measures, such as limiting the number of children per table and wearing masks. Mauritania, September 16, 2020.



# The Year in Review

## More Than One Hundred Years of Engagement – From Children’s Year to the International Year for the Elimination of Child Labor

### Introduction

More than 100 years ago, the Children’s Bureau—which was part of the U.S. Department of Labor at the time—proclaimed the start of “Children’s Year” on April 6, 1918, during the final year of the First World War. At the time of this proclamation, the world faced another deadly pandemic that was spreading around the world—the Spanish Flu. Children’s Year was conceived as a wartime campaign to remind the country of the importance of protecting children “as a patriotic duty.” As part of the campaign, the Children’s Bureau and its partners mobilized 11 million volunteers across the nation to help reduce infant deaths. The campaign focused on weighing and measuring children, educating parents on child health, encouraging play, and keeping children in school and out of work.

Since Children’s Year in 1918, the United States and the world have made enormous strides in the protection of children’s rights and well-being. Yet over the past several years, those advances have stalled. Today, as part of the 20th anniversary edition of ILAB’s *Findings on the Worst Forms of Child Labor* report, we review the world’s stalled progress toward the eventual elimination of the worst forms of child labor amid another deadly pandemic in the form of COVID-19. The timely declaration by the UN of 2021 as the “International Year for the Elimination of Child Labor” is a moment to think once again about those who are most vulnerable. This is especially vital as the latest *Global Estimates of Child Labor* from the ILO and UNICEF show that the number of child laborers has risen from 152 million in 2016 to 160 million in 2020, with nearly half of them—79 million—in hazardous work.





Despite these new and troubling numbers, ILAB will continue to build on our earlier work in close coordination with the global community. The eventual eradication of child labor depends on global commitment to these joint efforts. In September 2015, all 193 UN member states adopted the Sustainable Development Goals (SDGs) – a roadmap for ending poverty; protecting the environment; and promoting peaceful, inclusive, and just societies by 2030. (32) Under SDG 8 on Decent Work and Economic Growth, Target 8.7 calls on governments to “take immediate and effective measures to eradicate forced labor, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and by 2025 end child labor in all its forms.” (33) Alliance 8.7 is a global partnership that provides strategic coordination of diverse stakeholders to achieve Target 8.7. (34) ILAB has actively contributed to the work of Alliance 8.7 since 2017. Even with the ambitious goal of Target 8.7 in our sights, this report’s

cover story “Spotlight on a Vulnerable World” has highlighted that children and their families are more vulnerable to labor and human rights abuses due, in part, to gaps in access to education and a lack of access to social programs. The world has responded with insufficient actions to address these challenges since 2016 and even before as global trends worsened child labor risks. As a result, more children are victims of child labor, including its worst forms. (35) As we confront the current reality of stalled global progress toward the eventual elimination of the worst forms of child labor, it is vital that the international community redouble its efforts to ensure that every child is free from labor exploitation and has the opportunity to achieve their full potential. In reviewing the world’s efforts against child labor in 2020, we take stock of the progress made and of the gaps that remain to help focus our global efforts and inform the joint, global work that we must undertake. See Figure 3 hallmarking 20 years of the *Findings on the Worst Forms of Child Labor*.

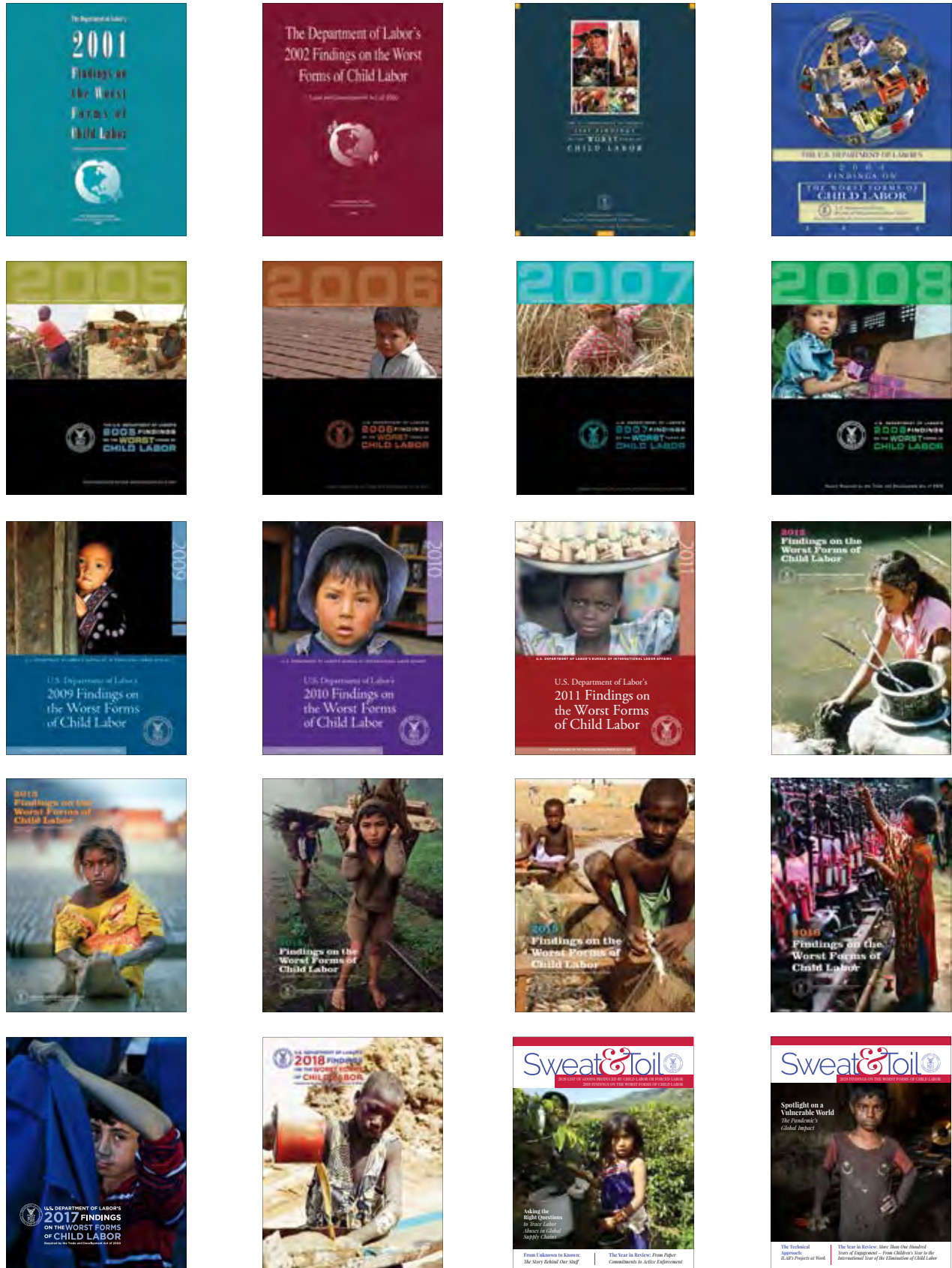


©Silas Irungu/Compassion International

Ahianor raises her hand in class at one of Compassion International’s church-based child development centers. Togo, 2020.

Figure 3

# Celebrating 20 Years of the Findings on the Worst Forms of Child Labor



## Overview of 2020 Assessments

This year, of the 131 countries and territories assessed, six countries—**Argentina, Colombia, Costa Rica, Ecuador, Mexico, and Peru**—received the highest assessment of Significant Advancement (see Figure 4 for a global breakdown of country assessments). These countries made meaningful efforts during the reporting period in all relevant areas, covering legal frameworks, enforcement, coordination, policies, and social programs, which in some cases included taking suggested actions recommended in 2019. Each of the six countries met the baseline of minimally acceptable protections needed to receive ILAB’s highest assessment of Significant Advancement. In fact, this year warrants special praise for the Government of **Mexico**, as the nation achieved the highest rating of Significant Advancement in the first year in which it was assessed a rating. Despite assessments of Significant Advancement, it is important to note that child labor challenges remain in these countries. A Significant Advancement serves as a laudable indicator of a country’s efforts against child labor during the reporting period; it is not a sign that work is over.

It is noteworthy that 14 additional countries and territories would have received an assessment of Significant Advancement had they met the baseline level of protection. These include **Brazil, Chile, Cook Islands, Côte d’Ivoire, Democratic Republic of the Congo, Georgia, Madagascar, Malawi, Nepal, Philippines, Rwanda, Sri Lanka, Thailand, and Uzbekistan**. For more information about this baseline, see Figure 5.

In total, 73 countries received a Moderate Advancement assessment in 2020. These countries made meaningful efforts to eliminate the worst forms of child labor

during the reporting period in some relevant areas covering laws and regulations, enforcement, coordination, policies, and social programs. Meanwhile, 19 countries received an assessment of Minimal Advancement for making efforts in only a few relevant areas.

Other countries also made efforts to address their child labor situation during the year. Yet, because they simultaneously continued or established a detrimental law, policy, or practice that delayed advancement in eliminating the worst forms of child labor, the highest assessment level these countries could receive was a Minimal Advancement. Nineteen countries—**Afghanistan, Armenia, Azerbaijan, Cambodia, Gabon, Iraq, Kyrgyz Republic, Mali, Mauritania, Moldova, Mongolia, Somalia, Tanzania, The Gambia, Timor-Leste, Tonga, Uganda, Ukraine, and Yemen**—implemented or maintained a law, policy, or practice related to access to education, minimum age for work, labor inspection, impunity, criminal treatment of victims, or the recruitment and use of child soldiers that undermined advancement. This year, two new countries were added to this list: **Afghanistan** and **The Gambia**. Eight countries received an assessment of No Advancement because they made no effort to prevent the worst forms of child labor: **Anguilla; British Virgin Islands; Dominica; Grenada; Montserrat; Niue; Saint Helena, Ascensión, and Tristán da Cunha; and Tokelau**. Despite the lack of evidence of child labor, these countries lack legal frameworks that meet international standards, leaving children without an adequate preventative mechanism.

Additionally, some countries could not receive an assessment level beyond No Advancement because they had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. Unfortunately, three countries—**Burma, Eritrea, and South Sudan**—were found to be complicit in the use of forced child labor



during the reporting period, whether for commercial sexual exploitation, public works projects, or forced recruitment in armed conflict.

Dropping off the list of countries complicit in the use of forced child labor for this year are **Afghanistan** and the **Democratic Republic of the Congo**. Afghanistan achieved its first indictment of a government employee—a school headmaster from Logar Province—for *bacha bazi* crimes allegedly committed in September 2019. *Bacha bazi* is a form of commercial sexual exploitation of boys. This indictment, along with numerous other prosecutions, convictions, and stringent prison sentences achieved during the year by the Government of **Afghanistan**, are indicative of a shift away from a culture of impunity to one of accountability. The **Democratic Republic of the**

**Congo**'s Ministry of Defense issued a zero-tolerance policy for child recruitment, and the Armed Forces of the Democratic Republic of the Congo identified and began prosecuting an army officer responsible for operating a child trafficking ring.

Currently, only **Christmas Island, Cocos (Keeling) Islands**, and **Wallis and Futuna** fall into the category of No Assessment. This assessment is reserved for countries or territories in which the population of children is either non-existent or extremely small, 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 a country is included in the report for the first time or receives a suggested action for the first time.

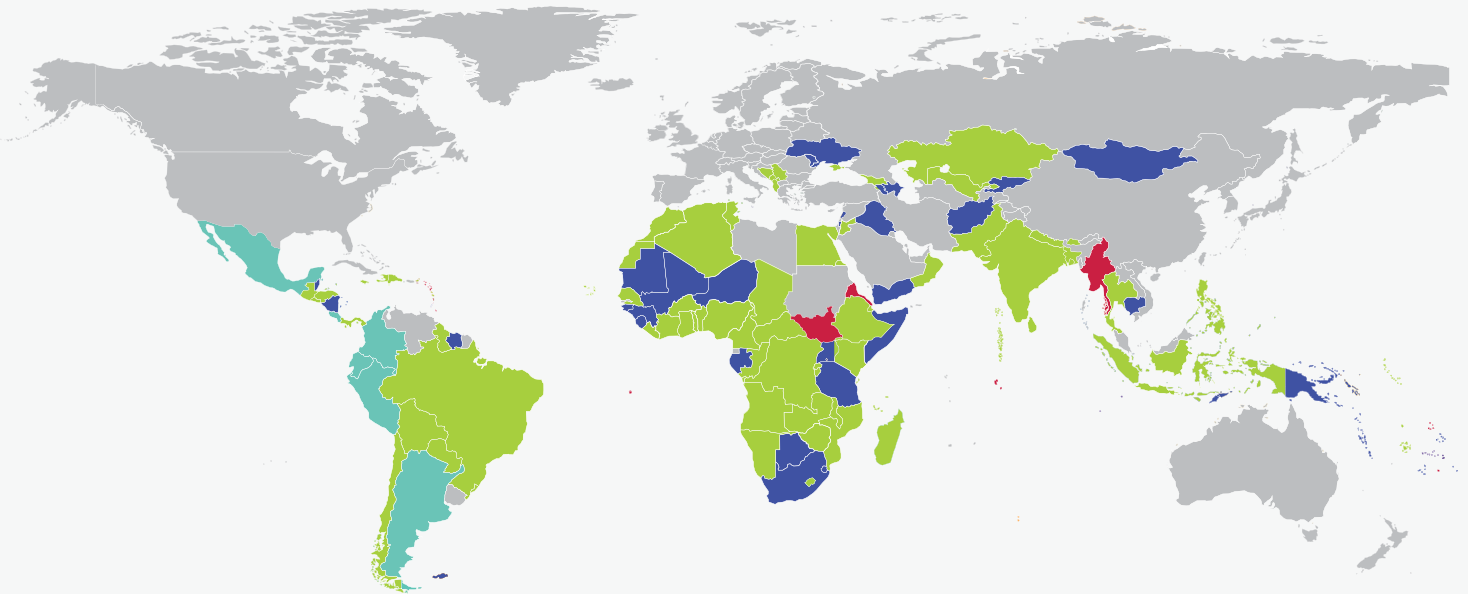


©A.M. Ahad/AP Images

Sharmin, age 13 and from Bangladesh, looks into the camera as she works at a plastic recycling factory, while a boy plays on a heap of bottles nearby. Dhaka, Bangladesh. June 12, 2014.

Figure 4

# Global Breakdown of Country Assessments



## 6 Significant Advancement

Argentina | Colombia | Costa Rica | Ecuador | Mexico | Peru

## 73 Moderate Advancement

Albania | Algeria | Angola | Bangladesh | Benin | Bhutan | Bolivia | Bosnia and Herzegovina | Brazil | Burkina Faso † | Burundi | Cabo Verde | Cameroon | Central African Republic | Chad | Chile | Comoros | Congo, Democratic Republic of the † | Congo, Republic of the | Cook Islands | Côte d'Ivoire | Djibouti | Dominican Republic | Egypt | El Salvador | Ethiopia | Fiji | Georgia | Ghana † | Guatemala † | Guyana | Haiti † | Honduras | India | Indonesia | Jamaica † | Jordan | Kazakhstan | Kenya | Kiribati † | Kosovo | Lesotho | Liberia † | Madagascar | Malawi | Maldives † | Mauritius † | Montenegro | Morocco † | Mozambique | Namibia † | Nepal | Nigeria † | Norfolk Island | North Macedonia | Oman | Pakistan | Panama | Paraguay † | Philippines | Rwanda | Saint Vincent and the Grenadines † | Senegal | Serbia | Sri Lanka | Thailand | Togo † | Tunisia | Tuvalu | Uzbekistan | Western Sahara † | Zambia | Zimbabwe

## 38 Minimal Advancement

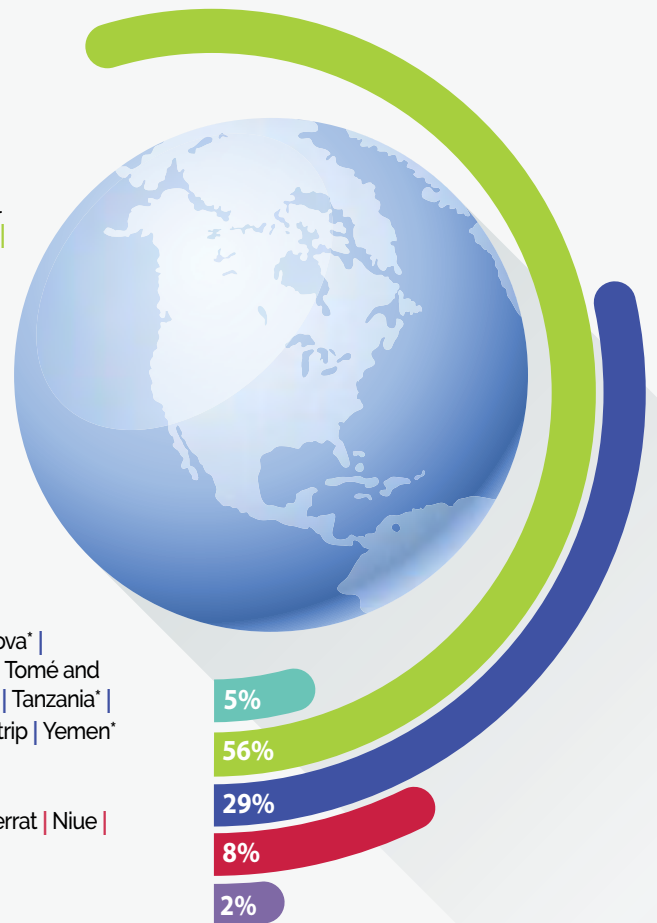
Afghanistan\* † | Armenia\* | Azerbaijan\* | Belize † | Botswana | Cambodia\* | Eswatini † | Falkland Islands (Islas Malvinas) | Gabon\* | Gambia, The\* † | Guinea | Guinea-Bissau | Iraq\* | Kyrgyz Republic\* | Lebanon † | Mali\* † | Mauritania\* | Moldova\* | Mongolia\* | Nicaragua | Niger † | Papua New Guinea | Saint Lucia † | Samoa | São Tomé and Príncipe | Sierra Leone † | Solomon Islands | Somalia\* | South Africa | Suriname † | Tanzania\* | Timor-Leste\* | Tonga\* | Uganda\* | Ukraine\* | Vanuatu | West Bank and the Gaza Strip | Yemen\*

## 11 No Advancement

Anguilla | British Virgin Islands | Burma† | Dominica † | Eritrea† | Grenada | Montserrat | Niue | Saint Helena, Ascension, and Tristán da Cunha † | South Sudan† | Tokelau

## 3 No Assessment

Christmas Island | Cocos (Keeling) Island | Wallis and Futuna



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

‡ Efforts made but complicit in forced child labor

† Increase in assessment level

‡ Decrease in assessment level

Figure 5

# Baseline of Minimally Acceptable Protections



## SOCIAL PROGRAMS

### Safeguarding Progress

- Directly funded a significant social program that includes the goal of eliminating child labor or addresses the root causes of the problem (e.g., lack of education opportunities, poverty, discrimination)

## ENFORCEMENT

### Putting Legislation to Action

- Made a good faith effort to collect and publish labor and criminal law enforcement data
- Took active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor
- 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
- Imposed penalties for violations related to the worst forms of child labor
- Designated a competent authority or institutional mechanisms for the enforcement of laws and regulations on child labor

## LEGISLATION

### Establishing a Framework to Prohibit Child Labor

- Established legal prohibitions against the use of children for illicit activities that meet international standards
- Established legal prohibitions against the commercial sexual exploitation of children that meet international standards
- Established legal prohibitions against child trafficking that meet international standards
- Established legal prohibitions against forced labor that meet international standards
- Established a minimum age for hazardous work that meets international standards
- Established a minimum age for work that meets international standards





©Florian Kopp/imageBROKER/Alamy

Girl, age 12, sowing the field. Puncupata,  
Quispillaccta, Ayacucho, Peru. October 27, 2013.

# Overview of Meaningful Efforts

## Legal

For the first time in history, an ILO Convention has been ratified by all 187 member states. The ratification of ILO Convention 182 on the Worst Forms of Child Labor by the Pacific island nation of **Tonga** represents the culmination of global consensus since the Convention's unanimous adoption by the member countries of the ILO in 1999, along with its corresponding Recommendation No. 190. (36) As another example of global efforts toward the prevention and elimination of the worst forms of child labor, a number of other countries brought into force or ratified the Protocol of 2014 to the 1930 Forced Labor Convention No. 29, including **Chile**, **Costa Rica**, **Kyrgyz Republic**, and **Malawi**. To learn more about global efforts in this area, see Box 6: The “50 for Freedom” Campaign.

Other countries took similar steps related to ILO instruments as they sought to strengthen their legal frameworks. The Government of **Nepal** ratified the Palermo Protocol on Trafficking in Persons and both **Mexico** and **Namibia** ratified ILO Domestic Workers Convention No. 189. Although the country has not ratified this particular Convention, **Ukraine** introduced draft legislation to protect domestic workers at the national level. As part of a similar effort to protect domestic workers, **Peru** passed Law 31047, which sets the minimum age for domestic work at 18. Finally, **Burma** ratified ILO Minimum Age Convention No. 138.

Several countries also made efforts to strengthen the legal framework to protect children from hazardous work. **Thailand** enacted a new law, which sets the minimum age for workers employed as deep-sea divers, a notoriously hazardous occupation, at 18 years old. In October 2020, **Chile** amended its Labor Code by establishing that the government

must publish a new list of hazardous activities and occupations for children and adolescents. In neighboring **Argentina**, the Buenos Aires Ministry of Labor issued a regulation to close a loophole that enabled companies to exploit underage workers through sub-contracting arrangements. **North Macedonia** also made an amendment to its Labor Relations Act, increasing fines issued to employers who fail to provide proper protections to workers under age 18, in addition to those who employ minors under age 15 who are considered to be in ill health. To codify legal definitions around hazardous work in **Georgia**, the Health Care Minister passed a decree that defines hazardous work, lists occupations prohibited for children under age 18. Finally, in **Burundi**, the government passed a new labor code that made important progress in bringing Burundi's legal framework in line with international standards, such as raising the minimum age for work to 16 and the minimum age for light work to 15. To learn more about hazardous work, see Figure 6. For a global snapshot on the minimum age for work and hazardous work, see Figure 7.

The inability of children to attend school remains a challenge in the fight against child labor; however, increasing access to education through legislation helps. **Sri Lanka** raised the minimum age for employment from 14 to 16 years old, matching the compulsory education age. **Rwanda's** Ministry of Education and Parliament also passed a new education law in early 2021 which stipulates that primary education is free and compulsory up to the first 6 years of schooling. In November 2020, the **Maldives** enacted a new Education Act that provides for free public education. Additionally, **Comoros** revised its education law to change the compulsory age of education to 16 years of age, compared to 12 years of age previously. **Bolivia** approved a resolution enabling Venezuelan minors to attend school without identification documents or expired documents to regularize their immigration status.



# The “50 for Freedom” Campaign



50forfreedom

The global fight against forced labor reached a major milestone on March 17, 2021, after Sudan became the 50th country to adopt the ILO’s Forced Labor Protocol. The Protocol is a legally binding pact that supplements Forced Labor Convention No. 29 of 1930. By ratifying the Forced Labor Protocol, governments pledge to do more than just criminalize and prosecute cases of forced labor. Governments commit to providing specific guidance on preventing forced labor, strengthening labor inspections, protecting victims, and ensuring that victims have access to justice and compensation.

There are an estimated 25 million men, women, and children trapped in forced labor—trafficked, held in bondage, or working under slavery-like conditions. Considered modern slavery, forced labor is defined as work performed involuntarily and under the menace of any penalty. One in four victims are children, and women and girls are disproportionately affected.

Matters have only gotten worse due to the COVID-19 pandemic. In 2020, governments closed schools and enforced lockdowns while global unemployment reached 33 million. (37) During the same time, reports from human rights organizations showed that forced labor rose in some locations where companies struggled

to cope with the demand for medical supplies and equipment. (38) The pandemic not only exacerbated some of the main drivers of forced labor, it also created additional demand and opportunities for this form of modern slavery.

With Sudan’s adoption, the ILO achieved the goal it set out in the “50 for Freedom” campaign launched in 2014. The ILO developed the campaign, in collaboration with the International Organization of Employers and the International Trade Union Confederation, to encourage governments to ratify the Forced Labor Protocol and to raise awareness about modern slavery.

The “50 for Freedom” campaign is a significant step in strengthening the global fight against all forms of forced labor, but it is also just one step. With fewer than 10 years remaining to achieve SDG 8.7 to eradicate forced labor, end modern slavery and human trafficking, and secure the prohibition and elimination of the worst forms of child labor, countries must collectively increase efforts to end these abusive practices.

Figure 6

## What is Hazardous Child Labor?

ILO Recommendation 190<sup>1</sup> 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

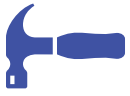


Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer

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



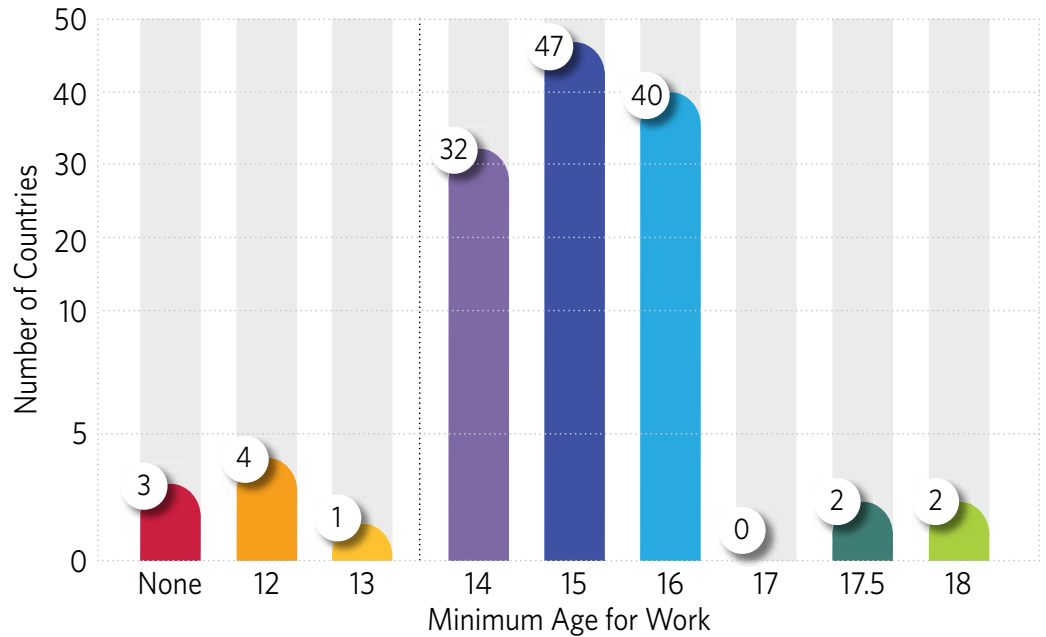
Figure 7



## Minimum Age for Work

**15**  
years

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



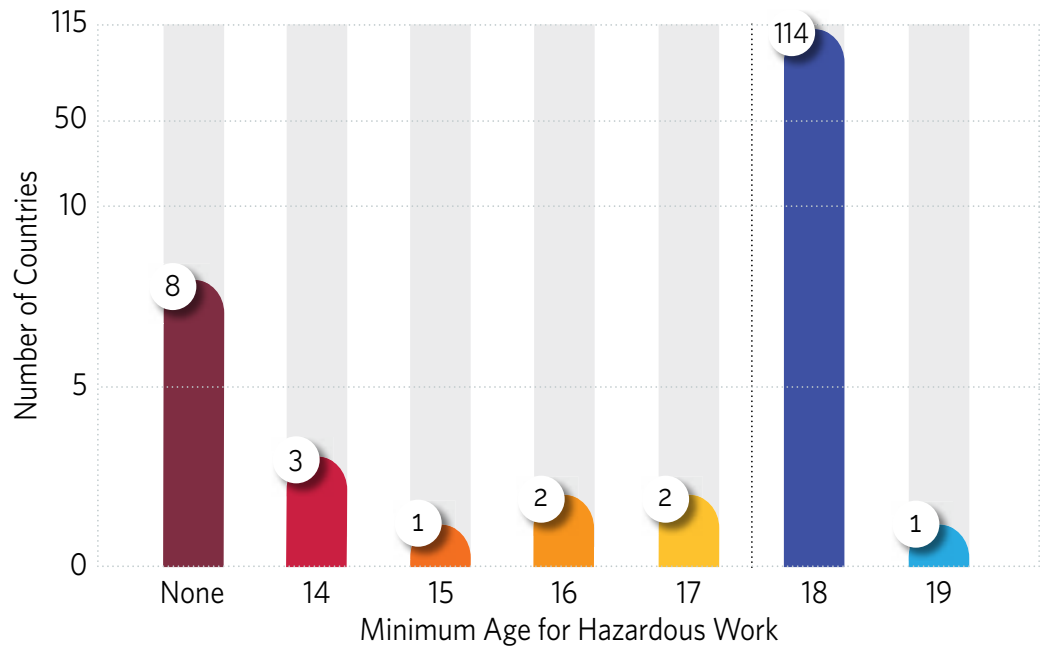
### Countries that do not have a minimum age at 14 years\*

Anguilla ■ Belize ■ Bhutan ■ Nigeria ■ Niue ■ Solomon Islands ■ Tokelau ■ Tonga



## Minimum Age for Hazardous Work

**18**  
years



### Countries that do not have a minimum age for hazardous work at 18 years

Anguilla ■ Belize ■ Dominica ■ Eritrea ■ Falkland Islands (Islas Malvinas) ■ Grenada ■ Nepal ■ Niue ■ Pakistan ■ Papua New Guinea ■ Saint Vincent and the Grenadines ■ Solomon Islands ■ Timor-Leste ■ Tokelau ■ Tonga ■ Vanuatu

## Enforcement

As the global pandemic moved many in-person activities online, **Colombia** used virtual capabilities during the pandemic to carry out 7,624 virtual labor inspections and conduct trainings for new and veteran inspectors, including training 107 new inspectors on “Fundamental Rights at Work.” In **Honduras**, the government began implementing the new Child Labor Inspection Protocol, which established guidelines and procedures for inspectors to follow to ensure that inspections appropriately identify and address child labor violations. It also assisted non-governmental partners in the creation of a virtual training platform designed to train inspectors on the Child Labor Inspection Protocol. **Paraguay**’s Ministry of Labor also launched virtual training curricula for inspectors and created a labor complaint hotline. See Figure 8 for an overview of global enforcement efforts.

Also during the pandemic, as online crimes against children rose, **Thailand** made its Internet Crimes Against Children task force into a permanent agency to solidify efforts to combat these crimes. Read more

about the troubling link between technology and commercial sexual exploitation of children in “Dangers Downloaded” on page 15.

Many countries also increased the funding available for labor law enforcement and raised awareness about labor rights abuses. The **Montenegro** labor inspectorate’s budget increased from \$584,447 to \$887,498. Likewise, **Georgia** doubled the budget of its labor inspectorate. Beyond mere funding, in **Mongolia**, the government distributed 50,000 informational passport inserts at its borders with Russia and China to raise awareness on human trafficking issues and provide information regarding resources for potential victims, including 1,000 children traveling abroad. In **Kazakhstan**, the Ministry of Labor and Social Protection added forced labor indicators to labor inspection checklists, and updated labor inspectors’ job descriptions to include detection and referral of potential forced labor cases to law enforcement. Focusing on its essential cotton harvest, **Uzbekistan** provided special badges to civil society monitors that allowed them to monitor labor conditions in the cotton harvest despite COVID-19 restrictions.

Figure 8

## Global Enforcement Efforts\*

36

Have an adequate number of labor inspectors



91

Conducted routine labor inspections



89

Conducted unannounced inspections



78

Authorize their labor inspectorates to assess penalties



108

Have a complaint mechanism for labor violations



\*Out of 131 countries

Also in an effort to prioritize vital work in 2020, **Jordan**'s Ministry of Labor conducted 850 targeted child labor inspections in the agricultural sector for the first time throughout the country. The Ministry of Labor also developed a new website and mobile phone application that, once operational, will allow the public to report cases of child labor and the Ministry of Labor to log those cases into the National Child Labor Database.

Very importantly, **Somalia**'s Ministry of Labor and Social Affairs established a labor inspectorate after operating for several years without such an agency. Further south, **Zambia** doubled labor inspectorate funding to \$281,520 from \$140,000 the previous year. **Uganda** and the **Central African Republic** both doubled their number of labor inspectors. **Nigeria** also hired more than 400 new labor inspectors during the reporting period. And as a sign of concentrated efforts to increase enforcement efforts, **Benin** nearly tripled its number of labor inspections. Aware that more inspectors alone are not enough, the **Democratic Republic of the Congo**'s government task force on the Africa Growth and Opportunity Act, in conjunction with its Ministry of Employment, Labor, and Social Welfare, published a manual to address child labor in the country's agricultural sector. In the Horn of Africa region, **Djibouti**'s Ministry of Labor unveiled a national labor inspection strategy, and for the first time, the labor inspectorate targeted sectors and geographical areas where children are at risk of child labor, including its worst forms. Providing its inspectors with the tools for the job, **Ethiopia** also collaborated with the ILO to develop a digital inspection system, which was completed in 2020.

## Coordination

With a great number of enforcement efforts, vibrant and robust coordination at the government level, in tandem with civil society, is essential. As just one example of intra-governmental cooperation, **Chile** established the Tacna-Arica Bi-Regional Roundtable to coordinate efforts between the governments of

Chile and Peru to prevent and eradicate child labor in the border area. **Peru**'s National Steering Committee for the Prevention and Eradication of Child Labor coordinated virtually, in part through messaging platforms, due to in-person meeting restrictions amid the COVID-19 pandemic. There also were online training sessions covering 22 of the 25 regional taskforces—representing each of Peru's 25 regions—to combat child labor. Further north in the Caribbean, the Government of **Jamaica** developed and released a National Referral Mechanism for child trafficking victims as an objective under the Child Protection Compact, in partnership with the United States.

As we look to the Indo-Pacific region, the **Philippines** established the Task Force Against the Trafficking of Overseas Filipino Workers to coordinate investigative and protective follow-up on trafficking cases referred by the Department of Foreign Affairs' overseas missions. **Pakistan**, for its part, formally constituted and appointed members to the National Commission on the Rights of the Child, which includes two representatives who are children.

In **Jordan**, the Ministry of Labor, with input from UNICEF, developed standard operating procedures defining the roles of the Ministry of Labor, the Ministry of Education, the Ministry of Social Development, and the Juvenile Police Department in combating child labor. In nearby **Egypt**, the National Coordination Committee on Preventing Illegal Migration and Combating Trafficking in Persons launched the second phase of its "Together Against Human Trafficking" awareness campaign in partnership with the International Organization for Migration. The campaign included a public service announcement featuring prominent Egyptian celebrities.

In **Albania**, the Ministry of Justice launched the Integrated System of Data on Justice for Children, which will allow law enforcement professionals to more easily cooperate with colleagues throughout the justice system, including courts. In **Uzbekistan**, the National Sub-Commission on Combating Forced





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A teen at work in a machine shop. Marka, Jordan.  
January 20, 2013.

Labor drafted an Action Plan based on international recommendations to combat child labor and strengthen worker protections.

In East Africa, **Uganda**'s National Steering Committee on the Elimination of Child Labor was reconstituted during the reporting period. **Zambia** likewise reconstituted its National Steering Committee on Child Labor. In **Côte d'Ivoire**, the Ministry of Women, Family, and Children created a "street team" of social workers to identify victims of child labor. Next door, **Ghana**'s Ministry of Employment and Labor Relations' Child Labor Unit developed the Inter-Sectoral Standard Operating Procedure for child protection and family welfare, with support from UNICEF. The Child Labor Unit also conducted field visits in the Oti Region, Volta Region, Central Region, and Eastern Region, helping to expand enforcement of labor laws across the country.

## Policy

A number of countries established or implemented policies to help focus attention and resources to combat child labor. **Argentina** launched a new initiative as part of its Third National Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work to train agricultural extension agents in identifying and responding to cases of child labor. Further, the ILO implemented its Model of Child Labor Risk Identification (MIRTI) tool in several countries, which identified high-risk areas for child labor. For example, **Guatemala**'s Ministry of Labor and Social Affairs and the Thematic Working Group for the Prevention and Eradication of Child Labor developed its model in anticipation of the effective end of the Roadmap to make Guatemala a Country Free of Child Labor and Its Worst Forms in 2020. With the help of the MIRTI tool, vulnerability maps for the 8 regions and 22 departments of the country were developed, as well as a map at the national level. Each of these maps includes a respective analysis on risk and protection factors associated with the probability of child labor in the 340 municipalities of the country in 2020. **Costa**

**Rica** published its first findings from its Child Labor Risk Identification Model, a statistical tool designed to identify localities with the greatest risk of child labor in order to develop targeted policies and strategies. **Jamaica** implemented the Child Labor Risk Identification Model as well. Other countries in the region also sought to move policies forward. For example, **Haiti** established the National Social Protection and Promotion Policy, and **Honduras** established the Inter-Institutional Strategy for Homeless Families and Children.

In **India**, the Government of Karnataka in southwest India released a comprehensive standard operating procedure (SOP) on human trafficking in collaboration with civil society organizations. The SOP covers sex trafficking, child beggary, child labor, and bonded labor. In **Sri Lanka**, the government launched the National Alternative Care Policy, which includes a section addressing child labor, including the commercial sexual exploitation of children.

In the Middle East and North Africa region, **Morocco** became a "pathfinder country," joining 21 other countries around the world as part of Alliance 8.7. In nearby **Tunisia**, the government established the Second Chance program to support dropouts in completing their education or receiving vocational training. And in September 2020, Tunisia's Ministry of Education inaugurated the country's first Second Chance School in the capital Tunis, and a team has been trained to evaluate, support, and supervise students wishing to return to school. The pilot program is scheduled to expand during 2021–2022 to additional regions across the country.

**Serbia**'s Ministry of the Interior and Ministry of Education worked with local police forces to educate fourth, fifth, and sixth grade children about safety and security issues, including child labor. To reach an even wider audience and respond to barriers to in-person training due to the COVID-19 pandemic, the program was turned into an online video as well. Nearby, **Kosovo** developed a Strategy on the Rights of the Child, which calls for a comprehensive framework for the protection of children's rights, including the



prevention, protection, and reintegration of children involved in hazardous child labor, such as street work and underground ore extraction.

The Government of the Kingdom of **Eswatini** published its first-ever uniform guidelines for providing shelter and caring for victims of trafficking and gender-based violence. Additionally, **South Sudan**'s Comprehensive Action Plan to End & Prevent All Grave Violations Against Children, which applies to all state and non-state groups, came into force under the February 2020 transitional government.

## Programs

In the Indo-Pacific region, **Tonga** published the results of its Multiple Indicator Cluster Survey, the first-ever nationwide survey on children and women in the country. The survey, conducted in 2019 with technical support from UNICEF, the United Nations Population Fund, and the Pacific Community, showed that 26 percent of children ages 5 to 17 were involved in economic activities and 28 percent of children were exposed to hazardous working conditions. Likewise, **Nepal** published its *Report on Employment Relationship Survey in the Brick Industry in Nepal*, providing information on the prevalence of child labor, forced labor, and bonded labor in the brick production sector. Sadly, there are an estimated 17,738 child laborers in the brick kilns of Nepal, with 15,400 of these children engaged in hazardous work. This information allows policymakers and programs to better target resources and efforts.

In the Middle East and North Africa region, **Egypt** declared \$50 million in additional funding to support the Takaful and Karama programs. These programs are funded by the Ministry of Social Solidarity to promote school attendance and health monitoring for children by providing income supplements to poor families. Between March and October 2020, 309,748 new families were added to the Takaful and Karama programs. Financial support to vulnerable families is a lifeline that helps minimize child labor risks.

In the Europe and Eurasia region, **Georgia**'s Ministry of Education, Science, Culture, and Sport created platforms for distance learning and the Public Broadcaster launched the "TV School" educational project to broadcast the national curriculum's standard lessons in Georgian, minority languages, and sign language. As an analysis of the most recent global estimates on child labor revealed, child labor is deeply entwined with a lack of access to education. Programs like Georgia's "TV School" allow children to continue schooling when they would otherwise not do so.

Similarly, recognizing the need to expand into alternative avenues for education during the COVID-19 pandemic, **Rwanda** launched audio lessons via national radio in response to the pandemic, and monitoring data showed that more than half of school-age children were listening to the broadcasts. Following pandemic-related school closures in March 2020, UNICEF and **South Sudan**'s Ministry of General Education and Instructions developed and implemented distance-learning programs. As of December 2020, UNICEF's radio learning programs and television broadcasts allowed 1.5 million preschool, primary, and secondary students to continue their education. Yet not all interventions were digital. In **Ethiopia**'s capital city of Addis Ababa, meals, books, and writing equipment were provided to more than 300,000 students. The provision of meals is important because, for many children, school is not just a place that nourishes the mind, but also a place that provides daily meals that allow children to learn without hunger.

In conclusion, these examples are just a snapshot of the more than 600 meaningful efforts undertaken by countries cataloged in this year's report.

## Overview of Major Gaps

This year's report highlights a number of gaps that continue to blunt progress toward the eventual elimination of child labor. The vast majority—nearly 60 percent—of the suggested actions assigned to each country and territory in the report fall into the areas of legal framework and enforcement. Noteworthy

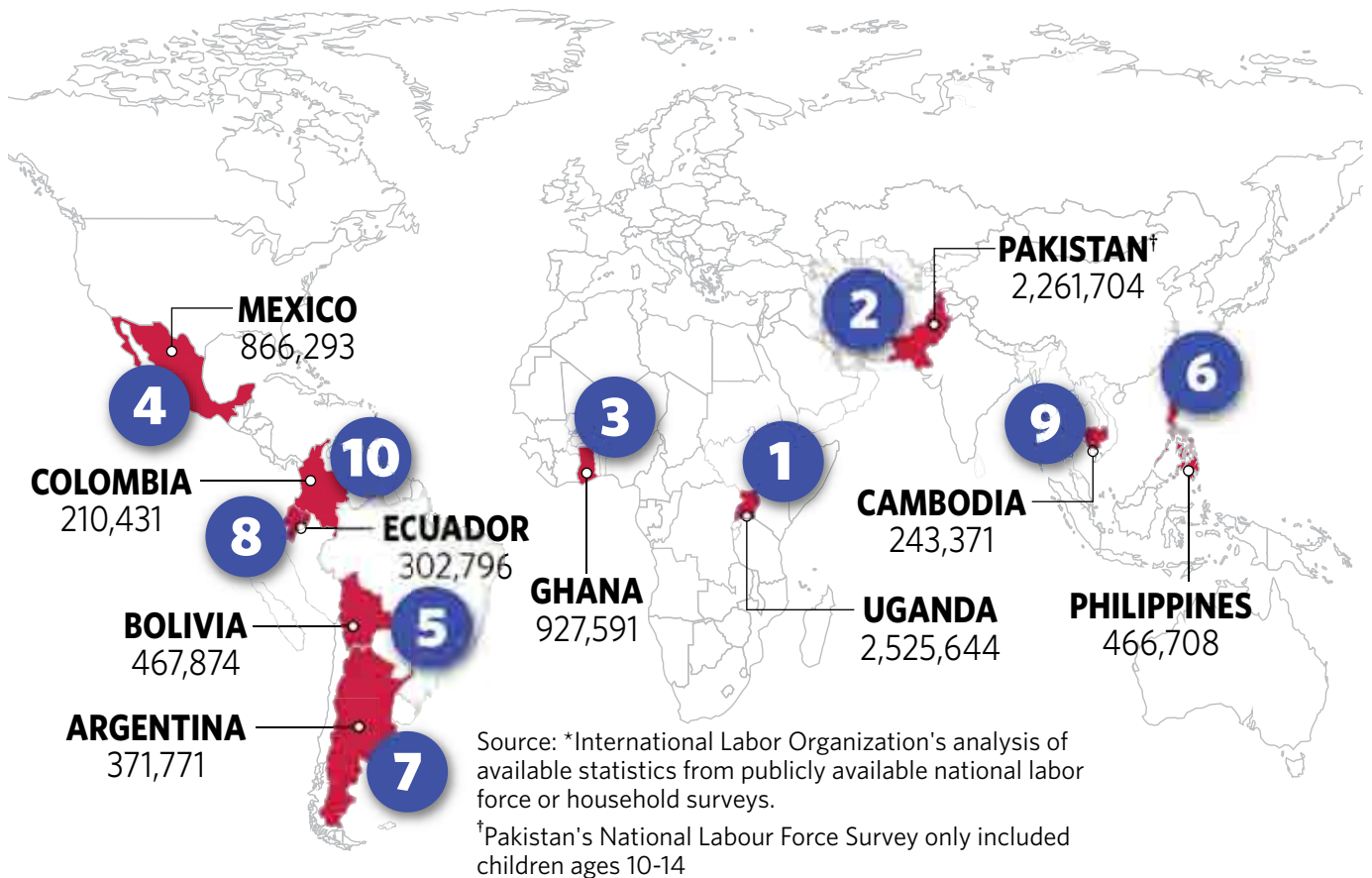


gaps related to social programs remain as well—comprising the third largest share of suggested actions, followed by government policies, and then coordination. The suggested actions included for each of the 131 countries and territories provide a roadmap for policymakers to ensure that they

uphold their commitments to prevent and eliminate child labor. Converting these commitments into action is the first step to reverse the stalled progress against child labor. To see which countries have the highest percentage of working children, reference Figure 9.

Figure 9

## Top 10 Countries with the Highest Number of Working Children, Ages 5-14\*



ILAB commends countries that collect and publish data on child labor. Gathering data through surveys, and providing them to the public demonstrates the commitment of governments to transparency in addressing child labor and acknowledgment that data collection is vital to the design and implementation of sound policies and programs.

## Legal

A robust legal framework that protects children is a necessary foundation to ensure progress against child labor, including its worst forms. Unfortunately, this year’s report notes many remaining gaps in this area remaining gaps in this area (see Figure 10).

Twenty countries and territories in every region, including **Bangladesh, Georgia, Guinea, Haiti, Lebanon, and Niger**, among others, have labor laws that do not fully cover children working in the informal sector. An even greater number of countries have gaps related to hazardous work—a category representing 12 percent of all legal gaps. As one example, laws in **Bangladesh** that prohibit some types of hazardous work for children are not comprehensive and do not include key sectors in which child labor is present, such as garments.

Gaps in criminal laws persist for many countries as well. For example, laws prohibiting child trafficking in **Bhutan, Brazil, Comoros, Nepal, Niue, Pakistan, and Uganda** do not fully meet international standards because they require that the use of force, threats, violence, coercion, fraud, or abuse be documented for an incident of trafficking to be established as a crime. Countries from **Afghanistan to Yemen** also have gaps

in forced labor prohibitions. For example, **Armenia** has not codified a definition of forced labor, and **Mali** does not criminally prohibit hereditary slavery, in addition to other forms of forced labor.

Many countries in all regions fail to fully criminalize the use, procuring, and offering of children for prostitution, the production of pornography, and pornographic performances. In **Nigeria**, not all state laws criminalize both domestic and international trafficking or trafficking for the purposes of forced labor and commercial sexual exploitation. Many countries, including **Grenada and Western Sahara**, also do not criminally prohibit the use, procuring, and offering of a child for prostitution.

Encompassing more than 13 percent of all legal gaps, gaps in prohibitions against non-state armed groups are the most common and persistent issue for many countries in the report. Read more about child soldiers and the need for additional actions to address the use of children in armed conflict in “Box 7: Stolen Childhoods: The Story of Child Soldiers.”

Beyond labor and criminal laws, 19 countries lack laws that ensure free, basic public education. The lack of these safeguards effectively limit children’s access to education and a better future.

Figure 10

## Global Gaps in Laws and Regulations\*

**24** Countries' prohibitions of child trafficking do not meet international standards

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

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



**22**

**Countries' prohibitions of forced labor do not meet international standards:** Afghanistan | Bosnia and Herzegovina | Burundi | Chile | Dominica | Dominican Republic | Guyana | Haiti | Jordan | Lebanon | Mali | Mauritius | Mongolia | Morocco | Niue | Saint Helena, Ascension, and Tristan da Cunha | Saint Lucia | Tokelau | Tonga | West Bank and the Gaza Strip | Western Sahara | Yemen

\*Out of 131 countries

## Stolen Childhoods: The Story of Child Soldiers



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13-year-old Jackson (name changed) stands during a ceremony to release children from the ranks of armed groups and start the process of reintegration. Yambio, South Sudan. April 17, 2018.

In a pre-dawn raid, a militia abducts a 14-year-old shepherd from a scrub-covered plain. Within months, he will learn to clean, strip, reassemble, and fire a Kalashnikov. Within the year, he will brandish this weapon on the battlefield in a war he does not understand.

Half a world away, a flamboyant cartel lieutenant known for flaunting diamond-encrusted bracelets on social media invites a group of out-of-school teenagers to a private party. He presents them with a choice: silver or lead? Join or die.

The use of children in armed combat does not belong to a single region or era. During the American Civil War, boys as young as 9 years old signaled battle formations using distinctive drumbeat patterns. Hundreds of thousands of children fought in both World Wars' European theaters.

Today, some 357 million girls and boys—or 1 in 6 children—live under the shadow of war or armed conflict. Children are direct participants in at least 18 current conflicts around the world. Additionally, our research shows that in 12 countries, children are victimized twice—first, by the armed groups who recruit them, and again by government forces who imprison children for their ties to these groups.

Over the past three decades, the number of children affected by armed conflict has grown considerably. More than 426 million children lived in an active conflict zone in 2019, compared to 200 million in 1990—

an increase of more than 50 percent. (39) The incidence of child labor in countries affected by armed conflict is also 77 percent higher than the global average, while the incidence of hazardous work is 50 percent higher in countries affected by armed conflict than in the world as a whole. (40-42) Additionally, attacks against schools, students, and teachers continued, which ranged from the destruction of facilities to armed occupation of schools, and from physical and sexual violence to the recruitment of students. (42)

ILAB is working to end these practices. Our work takes on special significance this year as we observe the International Year for the Elimination of Child Labor amid a once-in-a-century pandemic. As COVID-19 upended the global economy, more than 150 million children fell into poverty. Hundreds of millions did not attend school in 2020, and at least 24 million children may drop out permanently. (43) These shocks can push children into child labor, including armed combat.

The withdrawal of state and humanitarian actors is both obscuring and compounding the scale of the crisis. Border closures and distancing measures interrupted United Nations-led verification processes, including monitoring and reporting mechanisms that track the recruitment of children in armed conflict. These delays mean that the full impact of the pandemic on recruitment patterns may not be known for months or even years. Disarmament, demobilization, and reintegration programs also were curtailed or suspended while governments and NGOs dramatically scaled back age screening missions, child-friendly spaces, and family reunification services.

The pandemic underscored the vital role of legal, law enforcement, and social programs in protecting children from recruitment. Our data suggest that 65 countries currently fail to meet international standards for the prohibition of military recruitment by non-state armed groups. Similarly, our reports identified 77 countries and territories that need to take additional actions to address child soldiering—from amending laws to protecting survivors. School closures and economic shocks have compounded these vulnerabilities, with some children seeing few alternatives to joining armed groups.

The overwhelming evidence shows that so much more needs to be done for these children. Inaction is not an option.



## Enforcement

Gaps related to enforcement make up the single largest area, comprising more than 36 percent of all suggested actions in this year's report.

A particularly tragic example is that of the Government of the **Philippines**, which did not adequately protect children allegedly engaged in drug trafficking from inappropriate incarceration or physical harm during detention, nor did it ensure that children released from custody were placed in accredited rehabilitation centers. Additionally, the government did not investigate or prosecute police officers accused of extrajudicial killings of children during anti-drug operations in 2020. As an additional example of the global nature of these gaps, in the Middle East and North Africa region, **Iraqi** and Kurdistan Regional Government authorities continued to inappropriately detain and prosecute, without legal representation, children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children's confessions. Moreover, in Sub-Saharan Africa, the Somali National Army continued to recruit and use children in armed conflict, in violation of **Somalia's** national law.

This year, **Cambodia** is assessed as having made only Minimal Advancement because the government failed to take active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor, including commercial sexual exploitation of children and debt-based forced labor in brick kilns. Additionally, during the reporting period, judges were allegedly reported to have accepted bribes in return for the dismissal of charges, acquittal, and reduced sentencing for individuals committing such crimes, especially for those with alleged ties to the government, making children more vulnerable to child labor. The lack of prosecution of government officials was noted in several other countries, including **Afghanistan**, **Burma**, **India**, **Mali**, and **Uganda**. In fact, more than 25

percent of all the proposed enforcement actions relate to gaps in criminal law enforcement prosecution.

Even with dedicated public servants, who comprise the overwhelming majority of officials, many labor inspectorates lack proper funding and training to address child labor. Nearly 35 percent of all the suggested actions related to enforcement are linked to gaps in enforcement resources and training.

Even labor inspectorates that have resources sometimes lack mandates. Forty-three countries, from **Afghanistan** to **Zimbabwe**, lack the authority to assess penalties, which limits the labor inspectorate's ability to ensure that labor laws are enforced. Even with the authority to assess penalties, a referral mechanism to ensure that complaints are routed to enforcement agents is often missing. Fourteen countries, including **Pakistan** and **Vanuatu** lack such a mechanism.

Shockingly, a number of countries have additional restrictions on their labor inspectorates. In **Tonga**, there are no labor inspectors and no legal authority to conduct labor inspections. 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 **Armenia**, while a new labor inspectorate was established in 2017 that replaced the former state health inspectorate, the law still does not permit unannounced inspections. Similarly, **Mongolia** is not permitted to conduct unannounced labor inspections. And in the case of **Moldova**, in August 2018, the government amended its laws such that unannounced inspections, even those based on a complaint or at the request of law enforcement or other state bodies, are permitted only on the basis of a risk assessment that indicates an immediate threat to the environment, life, health, or property.

The **Kyrgyz Republic** extended a 2019 moratorium on labor inspections until 2022. Although the government amended this moratorium in 2020 to permit labor inspections based on formal complaints, the Ministry of Economy must approve worksite visits associated with such inspections and, in practice, announces these visits in advance. As a result, unannounced inspections remain severely restricted. **Azerbaijan**





extended a similar moratorium on labor inspections until January 1, 2022. While inspectors can conduct desk reviews in response to complaints, the lack of proactive or onsite inspection mechanisms may leave potential violations of child labor laws undetected in workplaces.

In Sub-Saharan Africa, **Gabon** failed to provide evidence that it conducted worksite inspections during the reporting period. Like counterparts elsewhere, the labor inspectorate in **The Gambia** suspended inspections in March 2020 due to the COVID-19 pandemic, and the government has not indicated when labor inspections will resume.

To help identify how labor inspectorates, trade policymakers, corporate compliance officers, procurement officials, and others can better target

the enforcement of child labor in the production of keygoods and products, ILAB has developed the Better Trade Tool, which matches ILAB's essential reporting with trade data.

## Coordination

Even with an appropriate mix of laws and enforcement, a lack of coordination can derail efforts to combat child labor effectively. Although comprising only 8 percent of all gaps noted in this year's report, gaps in coordination can prove to be fundamental as they cause a ripple effect of breakdowns in other areas. The vast majority—almost one-third—of these coordination gaps relate to the inability of existing coordinating mechanisms to carry out mandates. In **Eswatini** and





**Ethiopia**, for example, the individual mandates of various coordinating mechanisms in both countries lack clear definition.

A number of other coordination gaps relate to the lack of funding for coordinating mechanisms, effectively leaving these committees unable to take action and conduct work. This problem is particularly acute in Sub-Saharan African countries. In **Burkina Faso**, for example, there is poor coordination among ministries and a lack of resources, such as computers and electricity, which continues to hamper the government's ability to coordinate efforts to fully address child trafficking. In the **Democratic Republic of the Congo**, many committees had similar mandates, duplicated efforts, and lacked resources and trained personnel. In **Gabon**, all coordination committees were inactive in 2020, and as a result, some committee members resorted to using their personal funds to support human trafficking victims. Similarly, coordinating bodies in **Guinea** and **Kenya** faced constraints on activities due to a lack of sufficient funding.

Other coordination gaps relate to the lack of any functioning coordination mechanism dedicated to combating the worst forms of child labor. Eleven countries, including **Central African Republic**, **Saint Vincent and the Grenadines**, and **Vanuatu**, among others, lack a coordinating body that is active and addresses all forms of child labor.

## Policy

This year's report noted a number of countries that lacked policies to address child labor. Almost half of all policy gaps are with regard to the lack of any information related to policies and the lack of information related specifically to policy implementation. The archipelagic Indo-Pacific country of the **Maldives** lacks a policy that addresses all relevant forms of child labor, including forced labor

in domestic work and drug trafficking. **Mexico** also lacks a policy that addresses all of the worst forms of child labor, such as child trafficking and the use of children in commercial sexual exploitation and in illicit activities. Likewise, **Ukraine's** policies do not address hazardous child labor in mining. **Algeria's** policies do not address all relevant worst forms of child labor, such as commercial sexual exploitation, forced begging, and street work. On a similar note, **Sierra Leone** lacks policies to address child labor in sectors in which child labor is present, such as mining and quarrying, as well as in commercial sexual exploitation. **Gabon** also lacks policies that address domestic work and work in transportation. Additionally, a smaller set of countries have relevant policies that fail to integrate child labor issues. For example, countries such as **Bangladesh**, **Jamaica**, **Solomon Islands**, and **Zambia** have not integrated child labor elimination and prevention strategies into various education and development policies. Persistent gaps in various interconnected policies limit the ability of governments to tackle child labor in a holistic manner.

## Programs

Throughout the world, children remain vulnerable to child labor, forced labor, and human trafficking for a variety of social, political, and economic reasons. Families facing poverty may encourage young children to work, sometimes unknowingly exposing them to dangerous conditions; schools may close due to political instability or pandemic-related shutdowns; or societal norms may prioritize a culture of child labor over education. This report noted insufficient social programs in various countries in all regions. Most notable, approximately one-quarter of gaps in the social program area are related to access to education. Read more in "Box 8: Discrimination: Its Ugly Impact on Decreasing Access to Education and Increasing Child Labor Vulnerabilities."

## Discrimination: Its Ugly Impact on Decreasing Access to Education and Increasing Child Labor Vulnerabilities

It is consistently clear that when children cannot access education, they become more vulnerable to the worst forms of child labor. It is also clear that a common barrier to education is discrimination.

Discrimination based on race or ethnicity, gender, language, migration status, sexual orientation, or disability status can limit children's access to education. Our research has shown that discrimination knows no geographic limits, and in each region covered in our reporting, discrimination has played a role in the exploitation of children.

This year's report highlights that migration and refugee status, or simply being an ethnic minority, left many children vulnerable. In **Bangladesh**, over 400,000 Rohingya children are living in refugee camps following the Burmese military's ethnic cleansing operations in 2017. Historically, the government has permitted international organizations, such as UNICEF, UNESCO, and UNHCR, to provide some basic education services to primary school-aged Rohingya children, however, the government has further reduced access to humanitarian assistance. In **Moldova**, widespread discrimination against Roma has caused high dropout rates, leaving this population subject to child labor and forced begging more often than ethnically Moldovan children. In **Yemen**, the government failed to make efforts to address discrimination in schools against children from the Muhamasheen community, leading to their increased vulnerability to child labor. The situation in **Mauritania** is particularly troubling as the government has required proof of marriage and biological parents' citizenship for children to obtain a birth certificate since 2011. 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.

Gender discrimination also contributes to barriers to education that increase girls' vulnerability to exploitation in the worst forms of child labor. The ILO's previous global estimates on child labor had noted that gender dynamics play into distinct child risks and outcomes for boys and girls. Boys have made up a higher percentage of child labor, particularly hazardous child labor, worldwide in the past decade. At the same time, girls have made up a greater presence in household and domestic labor.

In **Timor-Leste**, some school principals force girls to leave school when they become pregnant. Likewise, the Mainland Government of **Tanzania** explicitly supports the routine expulsion of pregnant students from public schools, making them more vulnerable to the worst forms of child labor. In **Nepal**, more than 32 percent of schools lack separate toilet facilities for girls, resulting in increased dropout rates around the time of puberty. The absence of sanitation facilities is not uncommon and also was found in **Cambodia**. In other countries, such as **Papua New Guinea** and **Sierra Leone**, girls face gender-based violence from teachers and other students, which may discourage their attendance or cause them to drop out. Finally, in countries such as **Burma** and **South Sudan**, young girls are forced into marriage, which not only subjects them to sexual violence but also denies them the right to education, continuing the cycle of exploitation and poverty.

Language remains a significant barrier to education. In **Paraguay**, a 2019 study estimated that half of all children in indigenous communities do not attend school. Children in these communities often speak the indigenous language Guaraní exclusively, whereas schools provide Spanish language education. The San ethnic community in **Botswana** also faces linguistic barriers in school settings, as do children in **Cambodia**, **Belize**, **Mexico**, and **Thailand**. All of these communities experienced higher rates of child labor.

An additional basis for discrimination may be a child's sexual orientation. In **Thailand**, for example, children identifying as LGBTQI+ experienced higher rates of harassment and bullying in school settings, which may lead to greater dropout rates and incidences of child labor. Children with disabilities also face structural barriers around the globe. In **Azerbaijan**, in particular, a general social stigma against individuals with disabilities discourages their inclusion in education, despite government efforts to expand inclusive services. In **Mongolia**, children with disabilities also face issues with accessing education.

The continued discrimination against children in school settings remains a key factor in the pervasiveness of child labor. When children are denied a safe, nurturing educational atmosphere, they are much more likely to be exploited for labor, sexual practices, or violent acts. That is why it is increasingly important for governments to ensure that discrimination is not tolerated, and the cyclical nature of child labor and poverty are addressed by ensuring equal access to education.







A number of countries, particularly in Sub-Saharan Africa, lack programs that reach children working in agriculture and domestic work, or those vulnerable to human trafficking, commercial sexual exploitation, forced begging, and hazardous street work. This is the case in **Côte d'Ivoire, Guinea-Bissau, Lesotho, and The Gambia**, among others. As most children in child labor are not in an employment relationship with a third-party employer but instead work on family farms and in family enterprises, it is critical to understand and address family reliance on children's labor in the absence of strong social protections and income support. There are not enough programs that address the most vulnerable groups, for example, indigenous and migrant populations, as well as those facing gender-specific child labor risks. Gender-specific

child labor risks and outcomes are likely to persist with regard to migration, armed conflict, and climate change. Read more about gender-based discrimination in "Box 9: Vulnerability and LGBTQI+." The development of robust social programs that reach all children to provide support against the worst forms of child labor is key to making broader progress toward ending child labor. (45)

An additional challenge is the lack of reliable data on child labor. In a large number of countries, including **Oman, South Africa, and Uzbekistan**, among others, statistics on child labor are simply neither collected nor published. For a more in-depth regional analysis of government efforts and challenges in 2020, see Figures 11-12.

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#### Box 9

## Vulnerability and LGBTQI+

Children thrive in safe and supportive environments, yet LGBTQI+ children are often excluded from these environments and at greater risk to child labor. Many LGBTQI+ children experience bullying and discrimination at school and may refuse to return. Deprived of access to vital learning, children may find themselves cut off from decent work as adults and unable to secure their futures. LGBTQI+ children also face challenges at home. If parental figures and guardians reject or abuse a child based on the child's sexual orientation or gender identity, that child may be forced into homelessness or risk exposure to further violence. Without education and social support, they are at risk of abuse, neglect, poor health, and violence. These risks contribute to a greater likelihood that a child may end up in child labor and may experience life-long challenges.

On February 4, 2021, Secretary of Labor Marty Walsh reaffirmed the presidential action to promote and protect the human rights of LGBTQI+ persons around the world, including by pursuing an end to violence and discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics. (46) The world must prioritize addressing vulnerabilities that LGBTQI+ children face to ensure that all persons can enjoy decent work and fulfill their full potential. This year's report highlights positive steps various countries have taken to address child labor issues in the LGBTQI+ population. For example, the Government of **Thailand** piloted a program designating its first shelter out of 85 to specifically provide services to LGBTQI+ human trafficking victims, including children. Rather than being met with the threat of violence, these children can connect with services specifically targeted to their needs.

Yet, many countries can do more. The protection of the rights of LGBTQI+ individuals requires not just awareness and support, but also collaborative efforts to actively address vulnerabilities. Governments alongside other stakeholders must pinpoint the risks that LGBTQI+ children face to ensure that the labor rights of people of all orientations and identities are safeguarded.

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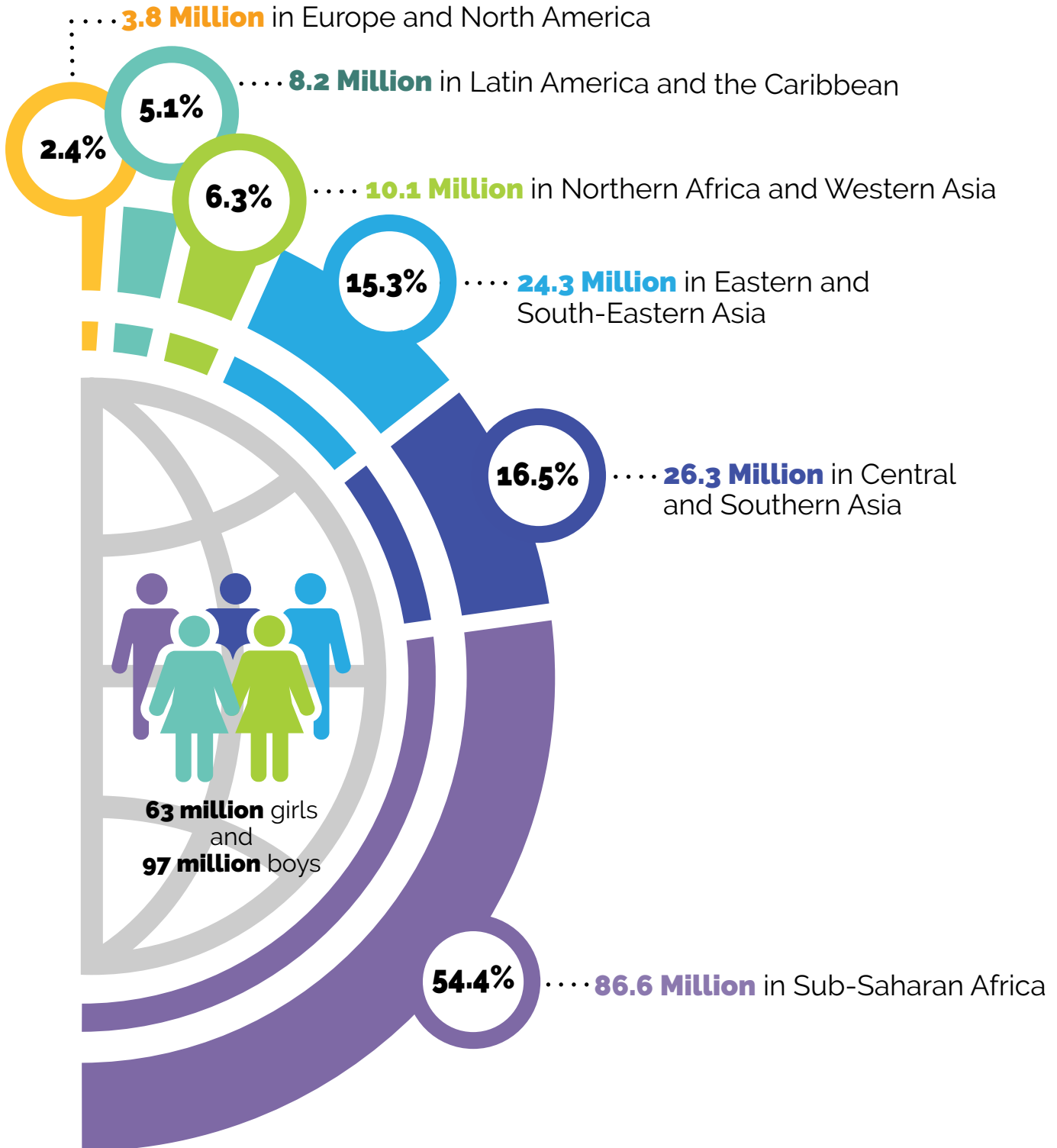


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Figure 11

# Child Labor Numbers

## Percentage and Number of Child Laborers, 5-17 Years Old, By Region



\*Due to low data coverage in some regions, the region-specific numbers do not add up to the global estimate.

Source: ILO and UNICEF. *Child Labour: Global estimates 2020, trends and the road forward*. New York, 2021.

Figure 12

# Regional Analysis of Government Efforts and Challenges

REGION	EFFORTS	CHALLENGES
<b>Indo-Pacific</b>	<ul style="list-style-type: none"> <li>■ Collected and published updated data on child labor prevalence to inform national laws, policies, and social programs.</li> <li>■ Launched and strengthened coordination mechanisms to improve responses to child trafficking and commercial sexual exploitation of children.</li> <li>■ Directed funds to expand social protection programs for populations especially vulnerable to child labor and at particular risk as a result of the COVID-19 pandemic.</li> </ul>	<ul style="list-style-type: none"> <li>■ Lack of legal prohibitions related to hazardous occupations and activities for children.</li> <li>■ Decreased financial and human resources for labor inspectorates diminished enforcement of minimum age laws.</li> <li>■ Migration to cities in pursuit of better educational opportunities increased vulnerabilities to domestic servitude and commercial sexual exploitation.</li> </ul>
<b>Europe &amp; Eurasia</b>	<ul style="list-style-type: none"> <li>■ Collected and published data to improve understanding of the prevalence and nature of child labor, including hazardous work.</li> <li>■ Provided labor inspectors with training and updated guidance to improve the enforcement of child labor laws.</li> <li>■ Enacted new national action plans to strengthen governments' responses to child trafficking while expanding social services for victims.</li> </ul>	<ul style="list-style-type: none"> <li>■ Gaps in laws related to the use, procuring, and offering of children in all forms of commercial sexual exploitation and illicit activities.</li> <li>■ Limited authorization for labor inspectorates to conduct unannounced inspections or impose penalties.</li> <li>■ Maintained or imposed moratoriums on labor inspections.</li> </ul>
<b>Latin America &amp; the Caribbean</b>	<ul style="list-style-type: none"> <li>■ Mapped areas with vulnerable populations at high risk for child labor using data and evidence-based research.</li> <li>■ Enhanced legal and social protections for refugees and migrant populations, enabling children from these groups to access health, education, and other social services.</li> <li>■ Used virtual platforms to train labor inspectorates during the COVID-19 pandemic.</li> </ul>	<ul style="list-style-type: none"> <li>■ Legal framework gaps limit protections for children from commercial sexual exploitation, human trafficking, and use in illicit activities.</li> <li>■ Limited financial and human resources hindered labor law enforcement outside of the formal sector, leaving many children vulnerable to child labor exploitation.</li> <li>■ Linguistic barriers and other forms of social discrimination within schools inhibited educational access for indigenous children and Afro-descendant children who are at high risk for child labor.</li> </ul>
<b>Middle East &amp; North Africa</b>	<ul style="list-style-type: none"> <li>■ Trained judges on the harms of child labor and child soldier recruitment.</li> <li>■ Increased labor inspections in agriculture and other high-risk sectors for child labor.</li> <li>■ Enhanced support for social services, education, and vocational programs to mitigate children's vulnerability to the worst forms of child labor.</li> </ul>	<ul style="list-style-type: none"> <li>■ Lack of information on child labor prevalence and law enforcement efforts.</li> <li>■ Educational barriers limit opportunities for migrant, IDP, and refugee children, former child soldiers, children with disabilities, and girls.</li> <li>■ Continued involvement of government officials in child trafficking, commercial sexual exploitation, and recruitment and use of child soldiers.</li> </ul>
<b>Sub-Saharan Africa</b>	<ul style="list-style-type: none"> <li>■ Adopted legislation to increase protections for children from hazardous work, commercial sexual exploitation, and child trafficking.</li> <li>■ Drafted new national policies to prevent and eliminate child labor and child trafficking.</li> <li>■ Increased funding for social support programs and cash transfers that benefit low-income families, vulnerable to child labor.</li> </ul>	<ul style="list-style-type: none"> <li>■ Gaps in data collection inhibit knowledge on the prevalence and nature of child labor.</li> <li>■ Increased recruitment and use of children by non-state armed groups.</li> <li>■ Limitations in authority for labor inspectors to conduct inspections or assess penalties inhibited enforcement efforts.</li> </ul>



## Call to Action

Eradicating child labor requires a holistic, accelerated approach. It is time to recognize that concerted and consistent action is necessary to achieve demonstrable change. ILO remains committed to protecting the dignity of workers everywhere. This report demonstrates that, in many countries, dignity remains under threat as global progress against

child labor has stalled. While the path to a world free of child labor is fraught with challenges, we must continue toward this ambitious goal. We must all work in tandem to create meaningful change to eradicate child labor on a global scale. Our greatest hope for a better tomorrow depends upon our ability to build a world where children are free to learn and play and not toil and labor.







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Secretary of Labor Marty Walsh tours Rainbow Rising childcare center in Irvine, California. July 9, 2021.

# The U.S. Experience

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“As workers return to the workplace, the U.S. Department of Labor is committed to ensuring their well-being and safety. This includes combating labor abuses such as child labor, forced labor, and human trafficking, both in the U.S. and abroad.”

— Marty Walsh, Secretary of Labor

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The COVID-19 pandemic, and the resulting social distancing measures and partial economic shutdown of businesses, schools, and activities, have had a profound impact on the U.S. labor market as a whole and on individuals’ jobs and livelihoods. As of summer 2021, nearly 10 million Americans remained unemployed, 14 million renters had fallen behind on rent payments, and 29 million adults—as well as at least 8 million children—were struggling with food insecurity. Women, communities of color, and underserved families have suffered disproportionately from the economic fallout of the pandemic.

While the U.S. labor market continues to improve, significant labor and employment challenges remain. These include restoring employment numbers to pre-pandemic levels, strengthening occupational safety and health at work, and eliminating labor force participation barriers for disadvantaged populations, including women, people with disabilities, people of color, youth, and veterans.

The pandemic has underscored the need for greater protections for children and vulnerable workers in times of crisis. The U.S. Department of Labor is ready to tackle these challenges and is committed to building back better, especially for our young workers.

Our domestic initiatives have helped to yield safe and dynamic job opportunities for America’s workers. The Wage and Hour Division (WHD) enforces regulations on the legal working age, permissible hours of work, earned wages, and hazardous occupations prohibited for minor employees. Keeping work environments safe for all employees, regardless of age, is the mission of the Occupational Safety and Health Administration. The Office of Disability Employment Policy helps youth and young adults with disabilities find success in employment and adulthood, while the Employment and Training Administration (ETA) helps them enter the workforce and be productive. Additionally, the Bureau of Labor Statistics gathers data on a variety of subjects, including child labor.



Together, these agencies work to expand employment opportunities, protect workers' paths to meaningful and rewarding work, and pave the way to a fairer and stronger economy for everyone.

## The Federal Minimum Ages for Work

Since 1938, the Fair Labor Standards Act (FLSA) has set crucial standards for the safety, well-being, and development of children engaged in work. 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 age 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 Occupations 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.

States also play a critical role alongside the Federal Government in ensuring that children are protected from labor exploitation, both in enforcing child labor

standards and in providing care and preventative services (see Box 10 to read about an effort in California). All states have child labor standards and mandatory school attendance laws. When state and federal child labor standards differ, the rule that provides the most protection is the one that must be followed. For example, Washington state and Wisconsin have stricter regulations on child labor in agriculture than the FLSA. In these states, the minimum age for employment in agriculture is 18 during school hours. California, Hawaii, and New Hampshire also set their minimum age for employment in agriculture at 18 during school hours and 16 for individuals who are not in school.

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### Box 10

## California Bill Aims to Protect Foster Children from Child Labor Trafficking

As the saying goes, "Knowledge is power." When caring for child labor trafficking victims, knowledge also is key to preventing re-victimization and trauma. That is why, in May 2021, the California State Senate unanimously passed Senate Bill 584, which requires foster parents who receive child labor and trafficking victims to complete family resource training on how to provide care and supervision to this vulnerable population. California Senator Brian Jones (R-Santee) noted that "foster kids, in particular, are vulnerable to being targeted by criminals for child labor trafficking" and the bill would provide "critical information to protect children who have been victims" or could become targets. The bill aims to close a gap in California's foster parent legislation, which already included a requirement that foster parents complete training on providing care to child victims of commercial sexual exploitation. The bill is now awaiting review and approval in Assembly committees. (47)

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Secretary of Labor Marty Walsh arrives for Q and A with members of Luina Local 652 in Santa Ana, California. July 8, 2021.

## Wage and Hour Division

The Bureau of Labor Statistics reported that the U.S. workforce included 4.7 million teens between the ages of 16 and 19 in 2020. And this is why the WHD looks for employer compliance with the FLSA's child labor provisions in every investigation it conducts. In fiscal year 2020, the WHD recorded child labor violations in more than 850 investigations.

In those cases where child labor was identified, the WHD found that 3,395 minors were working in violation of the FLSA. Additionally, in 266 of these cases, violations of Hazardous Occupations Orders (HOs) were found with a total of 633 minors employed in violation of HOs. In fiscal year 2020, the WHD assessed \$3,579,570.80 in child labor civil money penalties. The most common violations often involve the failure to comply with the hour standards for 14- and 15-year-olds in non-agricultural industries, and the failure to comply with HOs in non-agricultural industries for 16- and 17-year-olds (see Figure 13 for an overview of WHD's 2020 enforcement data).

For example, in 2020, the WHD investigations against Sunscape LLC in Florida (48), Greenfield Market in Michigan (49), and Trinidad Resort & Club LLC, also in Michigan, all resulted in penalties applied under the FLSA's child labor provisions. The WHD found that these companies were employing underage children to work either excessive or unlawful hours, including working more than 8 hours a day and before 7 a.m. or after 7 p.m. As a result of these investigations, the WHD collected more than \$33,000 in fines. In another case, the WHD filed a lawsuit against Pennsylvania Youth Club Inc. and assessed a \$103,051 civil penalty after uncovering that children 12 to 13 years of age worked as late as 10 p.m. for the organization as door-to-door salespersons, in violation of FLSA regulations. (50)

In May 2021, the WHD announced the findings of its investigation against Stover & Sons Contractors, Inc. involving the fatal fall of a 16-year-old boy from on top of a hotel worksite. The WHD found that a construction contractor from Madison, Wisconsin, violated two Hazardous Occupations Orders of the FLSA child labor



## What Jobs Can I Do?

**13  
or younger?**

You can babysit, deliver newspapers, or work as an actor or performer

**14-15?**

You can work in a variety of specified non-manufacturing and non-hazardous jobs under certain conditions

**16-17?**

You can work in any job that has not been declared hazardous by the Secretary of Labor

provisions. The orders ban minors from carrying out roofing activities or operating and riding on a power-driven hoisting apparatus. Further investigation determined that the employer also violated child labor laws when it allowed the boy to work more than 8 hours per day and more than 40 hours per week when he was 15 years of age. The WHD assessed Stover & Sons a \$122,364 civil penalty under the Child Labor Enhanced Penalty Program. The program permits the WHD to assess penalties of up to \$59,413 for each child labor violation related to the death or serious injury of a worker under age 18 for violations that occurred on or before January 15, 2021. An investigation by the Tennessee Department of Labor's Occupational Safety and Health Administration, which has jurisdiction over the case's workplace safety portion, also led the agency to issue citations to the employer. Stover & Sons is currently contesting the penalties. (51)

The WHD has long maintained that enforcement alone will never be sufficient to achieve its mission of protecting our nation's workers. Through its long-standing YouthRules! initiative and accompanying resource website, the WHD continues to conduct educational outreach events to reach working youth, their parents, their educators, and their employers. These efforts aim to raise awareness of child labor protections and promote voluntary compliance.

The WHD also is making a concerted effort to protect some of the most vulnerable essential workers during this pandemic. In March 2021, the WHD launched a nationwide education, outreach, and enforcement initiative targeting farmworkers, who have had to remain working on the frontlines for low wages despite the COVID risks. The campaign aims to inform farmworkers and advocates of their labor rights while also reiterating to agricultural employers their responsibilities. (52)

For more information on the specific jobs you can and can't do, visit [www.youthrules.gov/know-the-limits](http://www.youthrules.gov/know-the-limits)

To Find Out More:

Visit [youthrules.dol.gov](http://youthrules.dol.gov) or Call 1-866-4US-WAGE



Figure 13

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

## Fiscal Year 2020 Enforcement Data

Number of Minors Employed in Violation of the FLSA's Child Labor Requirements:

3,395

Number of Minors  
Employed in Violation of  
Hazardous Occupations  
Orders:

633

585

Number of Cases Finding Child Labor Violations

266

Number of Cases  
Finding Violations of  
Hazardous Occupations  
Orders

Total Penalties Imposed for Child Labor Violations: **\$3,579,570.80** in  
civil money penalties

In April 2021, the WHD co-hosted a national online dialogue with teens, parents, educators, employers, and other interested stakeholders to gather ideas on how USDOL can connect better with teens. The WHD will use these valuable insights to enhance efforts to inform teens about avoiding workplace hazards; the types of work they are allowed to do; age restrictions for work hours; employer wage requirements; employment training, including apprenticeships; and workplace discrimination. This event was co-hosted by the Department's [Office of Disability Employment Policy, Occupational Safety and Health Administration, Wage and Hour Division, Office of Compliance Initiatives, and Employment and Training Administration](#). The dialogue is part of the Office of Disability Employment Policy's [ePolicyWorks](#) initiative.

In May 2021, the WHD also hosted a webinar for teens, parents, employers, and educators to review how federal and state laws protect teen workers. WHD also launched the "Essential Workers – Essential Protections" initiative to offer training to workers and employers on critical workplace protections. As the nation's recovery continues, we are committed to educating workers of all ages about labor standards, particularly for those employed in essential, public-facing occupations

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"Employing young people provides valuable work experience, but that experience must never come at the expense of their safety or education. Businesses that employ minors must comply with federal laws that protect youth in the workforce."

Timolin Mitchell  
Wage and Hour Division District Director  
Detroit, Michigan  
February 8, 2021  
(Release Number 21-131-CHI)

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## Employment and Training Administration

Through its various workforce training and development programs, The ETA works to remove barriers to meaningful work and open economic mobility to more Americans. The ETA offers such programs as the Registered Apprenticeship Program, YouthBuild, Job Corps, and Reentry Employment Opportunities. These programs especially equip and empower populations that face unique employment barriers, including youth who are out of school or involved in the justice system, by providing them with work-readiness skills and industry accreditation pathways.

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"Child labor laws exist to strike a balance between providing meaningful work experience for young people and keeping them safe on the job. We urge employers to review their practices to ensure that minors are not exposed to hazardous occupations and that they are in compliance with child labor laws." (53)

Wildali de Jesus  
Wage and Hour Division District Director  
Orlando, Florida  
January 4, 2021  
(Release Number 20-2290-ATL)

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The ETA will play a key role in America's economic recovery as it continues the expansion of registered apprenticeship programs to generate skilled, well-paying jobs for American workers and includes measures to create more job opportunities through youth apprenticeships. For example, ETA awarded over \$42 million in Youth Apprenticeship Readiness Grants in June 2020 and in 2021 is awarding approximately \$87 million in State Apprenticeship

Expansion, Equity, and Innovation (SAEEI) Grants to increase registered apprenticeship program participation by youth and other under-represented populations. (54; 55) In addition, through \$89 million in YouthBuild grants, the ETA will support state efforts to employ non-studying and unemployed youth between the ages of 16 and 24 in construction, health care, information technology, and other in-demand industries. The ETA has, to date, awarded 68 grants that fund organizations providing workplace skills training, classroom instruction, and job placement. (56)

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“Protecting our youngest workers continues to be a top priority for the Wage and Hour Division. Child labor laws ensure that when young people work, the work does not jeopardize their health, well-being or educational opportunities. Employers of minors have a responsibility to understand their obligations under the law, and to comply with those requirements.”

James Cain  
Wage and Hour Division District Director  
Philadelphia, Pennsylvania  
April 20, 2021  
(Release Number 21-556-PHI)

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Secretary of Labor Marty Walsh arrives for a tour and conversation on workforce and childcare at the Rosa Estrada Day Care in San Diego, California. August 23, 2021.





©Muntaka Chasant

Ibrahim, age 11, uses rocks and his bare hands to break apart cathode ray tube (CRT) TVs to recover shadow masks and aperture grilles at Agbogbloshie, Ghana's largest e-waste processing area. Accra, Ghana. May 11, 2020.

# About the Iqbal Masih Award

for the Elimination of Child Labor



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. Iqbal was killed in Pakistan at age 12 in 1995.

In 2021, the U.S. Secretary of Labor selected Norma Flores López, advocate for farmworker children, and the International Labor Organization, a United Nations tripartite agency, to receive the Iqbal Masih Award. The recipients received the award in recognition of their extraordinary efforts to combat child labor.

Further information about the Iqbal Masih Award and USDOL's efforts to combat child labor is available on the USDOL website at [dol.gov/iqbal](https://dol.gov/iqbal).





## Norma Flores López

Ms. Flores López grew up in a family of farmworkers and began working in fields around the United States when she was 12 years old. At the age of 17, she became a spokesperson for the “Children in the Fields” campaign—a campaign dedicated to ensuring that farmworker children are protected and given an opportunity to succeed in life. For the past 10 years, Ms. López has led the [Child Labor Coalition](#)’s (CLC) Domestic Issues Committee, working to improve protections for child farmworkers and other vulnerable children. Through her leadership on the Domestic

Issues Committee, Ms. Flores López has leveraged the resources of more than a dozen organizations and helped them engage in the fight against child labor. She also has led the CLC to participate in the successful fight to improve pesticide protections for child farmworkers under the Worker Protection Standard and has fought to preserve protective buffers around child and adult workers in the fields to help prevent pesticide exposure. Since 2017, she has served on the board of the Global March Against Child Labor—the premier anti-child labor advocacy group founded by Nobel Laureate Kailash Satyarthi.





ILO Director-General, Guy Ryder (middle), receiving the 2021 Iqbal Masih Award with A/PDAS Scott Busby (left) and Charge d'Affaires Benjamin W. Moeling (right).

## International Labor Organization

Since its formation more than a century ago, the [International Labor Organization](#) (ILO) has been a leader in the fight to end all forms of child labor, including the worst forms of child labor, bringing international attention to the issue and inspiring action by individuals and organizations around the world. As the United Nations' only tripartite agency, the ILO brings together governments, employers, and workers' representatives from 187 member states to establish international labor standards, develop policies and devise programs promoting fundamental principles and rights at work, and combat abusive labor practices such as child labor. In 2020, ILO Convention No. 182 on the Worst Forms of Child Labor achieved universal ratification for the first time in the ILO's history. The ILO has played a central role in the development of a

worldwide movement against child labor, including through the organization and implementation of landmark global child labor conferences, including the upcoming Fifth Global Conference, which will take place in South Africa in 2022. Additionally, the ILO has produced global estimates on child labor since the beginning in 2000, which have raised awareness of the scope and nature of the problem, tracked progress over time, and identified key challenges still to be overcome. As the Secretariat of Alliance 8.7, an SDG multi-stakeholder partnership to put an end to child labor and forced labor, the ILO has played a key role in mobilizing a coordinated response through a network of more than 250 organizations to address the emerging challenges of COVID-19 in affected communities and to mitigate the risks of a resurgence of child labor and forced labor.

## Appendix 1

# Acronyms and Abbreviations

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

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



## Appendix 2

# Definitions Related to Child Labor and Forced 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. The ILO's Resolution Concerning Statistics of Child Labor, developed during the 18th International Conference of Labour Statisticians (ICLS), and amendments made during the 20th ICLS, provide the international framework for measuring children's work. See Appendix 3 for additional definitions.

## *Working Children*

Per the Resolution Concerning Statistics of Child Labor developed during the 18th ICLS, 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 20th ICLS introduced changes to the definition of working children to align that definition with internationally accepted definitions of work for adults. The new definition classifies working children as those engaged in any activity to produce goods or to provide services for use by others or for own use. In summary, the new definition includes the production of additional types of services for family use, unpaid trainee work by children, volunteer work by children, and other work activities by children. Since most countries are in the process of adapting survey instruments to reflect this new definition, the definition of working children from the 18th ICLS Resolution has been used in this report. The work that children perform may be within the formal or informal economy, inside or outside of 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. (45; 57)

## *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. (45; 58)

## *Worst Forms of Child Labor*

The term worst forms of child labor refers to activities described and as understood in ILO C. 182. (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 under 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, the term 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) as “hazardous work.” (5)

### *Hazardous Work*

The term 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. (5)

### *Forced 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.

(59) Forced labor is work obtained by force, fraud, or coercion, including (1) by threat of serious harm to, or physical restraint against, any person; (2) 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, the person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or threatened abuse of

law or the legal process. (60) 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 to 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; degrading living conditions imposed by the employer; work for other employers than agreed to; work for a longer period of time than agreed to; and work with no or limited freedom to terminate the work contract. (61)

### *Forced Child Labor*

Forced child labor is a categorical worst form of child labor under ILO C. 182. (5) Children are in forced child labor if subjected to work under the threat or menace of penalty. 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, involuntariness does not need to be established because children under the minimum age 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. (62)

## Appendix 3

# ILO Conventions Related to Child Labor and Forced 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 No. 138: Minimum Age for Admission to Employment, 1973*

ILO C. 138 establishes that the minimum age for admission to 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. Additionally, Article 7(1) says that national laws or regulations may permit the employment or work of children ages 13 to 15 in light work. Countries that have specified a minimum legal working age of 14 may permit light work for children ages 12 to 14. (63)

## *ILO Convention No. 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 age 18.

Among other actions, ILO C. 182 requires ratifying countries to take effective and timebound 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. (5)

## *Worst Forms of Child Labor Recommendation No. 190, 1999*

Recommendation No. 190 supplements ILO C. 182 and provides non-binding practical guidance in applying the Convention. Among other provisions, it includes a list of working conditions and types of work that should be considered when determining what comprises hazardous work.

## *ILO Convention No. 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.” (59)



*ILO Convention No. 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. (64)

*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, sanction perpetrators, and provide victims with 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. (65) The Protocol supplements ILO C. 29 and, as such, only ILO member states that have ratified the convention can ratify the Protocol.

*Forced Labor (Supplementary Measures) Recommendation No. 203, 2014*

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. (66)



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Hazem, age 11 and a Syrian refugee, wants to be a mechanic in the future. He is currently a Basic Literacy and Numeracy (BLN) student at the Lebanese Organization of Studies and Training (LOST), Lebanon, March 20, 2019.

Appendix 4

# How to Read a TDA Country Profile

- **Country Overview:** Each country profile begins with an overview for 2020 in a single paragraph, starting with a statement identifying the assessment level assigned to the country for 2020. 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 and Understanding Children's Work 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 table note 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 table note 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.

## Mexico

SIGNIFICANT ADVANCEMENT



- *In 2020, Mexico made significant advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government published the 2019 National Child Labor Survey, the results of which will be used to develop policies and programs to combat child labor. In addition, it ratified International Labor Organization Convention 189 on Domestic Workers, and revised the Migration Law and Refugee Assistance and Asylum Law to prioritize the rights of migrant and refugee children, including prohibiting the detention of children in migrant centers and ensuring migrant and refugee children have educational access. Moreover, state governments investigated and prosecuted at least 199 child trafficking cases. The government also approved the creation of a national network of Local Committees to Prevent and Eradicate Child Labor and Protect Adolescent Workers of the Permitted Age to improve coordination efforts to address the worst forms of child labor at the municipal and local levels. Further, it published the National Program on Human Rights 2020–2024 and the Secretariat of Labor and Social Welfare's National Program for 2020–2024. However, children in Mexico are subjected to 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 production and trafficking of drugs. Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. The COVID-19 pandemic severely impacted the Mexican economy, resulting in a significant increase in the number of children engaging in child labor. Although*

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

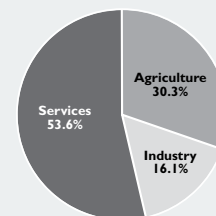
Children in Mexico are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities, such as the production and trafficking of drugs. (1-5) Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. (6-10) Data from the National Child Labor Survey (ENTI 2019), which was funded by USDOL, show that 3.1 million children between the ages of 5 and 17 engage in child labor, including hazardous household chores. It also shows that 52 percent of child laborers engage in hazardous work and

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	4.0 ( 866,293)
Attending School (%)	5 to 14	97.5
Combining Work and School (%)	7 to 14	4.4
Primary Completion Rate (%)		102.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (13)  
 Source for all other data: International Labor Organization's analysis of statistics from Instituto Nacional de Estadística y Geografía (INEGI), Encuesta Nacional de Trabajo Infantil (ENTI), 2019. (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	Working in agriculture,† including in the production of avocados, chile peppers, coffee, cucumbers, eggplants, beans (green), melons, onions, sugarcane, tobacco,‡ and tomatoes (6-10, 15-18)
	Cattle raising (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.

- *In 2020, the COVID-19 pandemic severely impacted the Mexican economy, resulting in a significant increase in the number of children engaging in child labor. Experts estimate that as a result of the pandemic, the number of people living in poverty in Mexico will increase by 7.9 percent and the number of children engaging in child labor will increase by 5.5 percent. (5,24,42) Despite a government program to transmit public education classes via Internet, television, and radio during the pandemic, reports suggest that at least 2.5 million children did not continue their basic education. This includes 800,000 students who did not transition from lower*

**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 were ratified during the reporting period, beyond those listed in the table, 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 the standards in 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. Notes under Table 4 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 that 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 table note 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

Mexico 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	✓

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 123 of the Constitution; Article 22 bis of the Labor Code; Article 47 of the Law on the Rights of Children and Adolescents; Article 6 of the General Law on Education (18,86-88)
Minimum Age for Hazardous Work	Yes	18	Article 175 of the Labor Code (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 175–176 of the Labor Code (18)
Prohibition of Forced Labor	Yes		Articles 1 and 5 of the Constitution; Articles 11, 12, and 22 of the Trafficking in Persons Law; Article 47 of the Law on the Rights of Children and Adolescents (86,87,89)

The United States-Mexico-Canada Agreement (USMCA) entered into force on July 1, 2020. The agreement contains a labor chapter with fully enforceable labor obligations, including on internationally recognized labor

## 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 enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Secretariat of Labor and Social Welfare (STPS)	Leads efforts to enforce child labor laws, conduct labor inspections, and refer cases for investigation. The Federal Prosecutor for the Defense of Work, an independent entity under STPS, prosecutes cases in which workers' rights are violated, including cases with workers under age 18. (18,99-104) The STPS inspectorate is responsible for labor law enforcement in 22 industrial sectors under federal jurisdiction, including the sugar and tobacco industries, three types of enterprises, and labor matters affecting two or more states. The state-level labor inspectorates are responsible for labor law enforcement in all other situations. (18,86,105) During the reporting period, STPS collaborated with USDOL on two projects to strengthen its capacity to enforce labor laws and train Mexican workers and unions on labor standards and identifying labor violations. (106-110)
Attorney General of the Republic (FGR)	Prosecutes crimes involving human trafficking, including criminal violations related to child trafficking and other worst forms of child labor. The Attorney General of the Republic's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) and the Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO) are responsible for investigating and prosecuting human trafficking cases at the federal level. (4,104,111-114) In addition, all 32 states have specialized Trafficking in Persons (TIP) prosecutors or units, which are responsible for investigating and prosecuting cases of human trafficking at the state level. Some state TIP units or prosecutors also prosecute cases of gender-based violence. (50,59,115,116) In addition, federal and state TIP units receive some cases of child trafficking from the National Institute of Migration and the Mexican Commission for Refugee Assistance. (76,78,117-120)
National Commission on Human Rights (CNDH)	Independent ombudsman body. Receives complaints and conducts investigations on human rights violations, including cases involving the worst forms of child labor. (121)
Conciliation and Arbitration Boards and Labor Tribunals and Conciliation Centers	Tripartite boards which mediate and adjudicate labor disputes according to federal and state labor laws, including processing cases in which children between the ages of 15 and 18 request permission to work. Beginning in 2020, these boards are being replaced by federal- and state-level Conciliation Centers and Labor Tribunals, which will oversee conciliation and adjudication of labor disputes, respectively. (18,41,86,122-125) In 2020, STPS and state governments also began establishing systems and institutions to address 2019 labor reform obligations to strengthen freedom of association and collective bargaining rights. This included dedicating \$69 million to establish Conciliation Centers and independent Labor Tribunals in eight states, begin file digitization, and carry out trainings on labor reform implementation. (108,126-131)
Secretariat of Health's National System for Integral Family Development (SNDIF)	Provides social assistance to child victims, including shelter and legal services. Employs representatives at the national, state, and municipal levels. (87,104,132) At the federal and state levels, also employs special prosecutors to carry out legal action against crimes related to children and adolescent rights, including violations related to the worst forms of child labor. (87,104,132) During school holidays, some state-level SNDIF ministries conduct operations to monitor for child labor in the informal sector. (133-145)



Table 6 and Table 7 provide data on labor law and criminal law enforcement efforts, respectively, in 2019 and 2020.

**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.

Notes 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 table note 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.

**Section V: Government Policies on Child Labor** The fifth section describes a country's policies and plans to combat child labor and the development of 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.

**Labor Law Enforcement**

In 2020, labor law enforcement agencies in Mexico took actions to combat child labor (Table 6). However, gaps exist within the operations of the Secretariat of Labor and Social Welfare (STPS) that may hinder adequate labor law enforcement, including human and financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,449,826 (155)	\$1,420,784 (156)
Number of Labor Inspectors	421 (104)	447 (41)
Inspectorate Authorized to Assess Penalties	Yes (106)	Yes (41,152)
Initial Training for New Labor Inspectors	N/A	Yes (156)
Training on New Laws Related to Child Labor	Unknown	N/A (156)
Refresher Courses Provided	Unknown (157)	No (41)
Number of Labor Inspections Conducted	35,981† (104)	29,177‡ (41)
Number Conducted at Worksite	35,981† (104)	29,177‡ (41)
Number of Child Labor Violations Found	3 (158)	1 (158)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (104)	Unknown (156)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (104)	Unknown (156)
Routine Inspections Conducted	Yes (159)	Yes (41)
Routine Inspections Targeted	Yes (160)	Yes (41)
Unannounced Inspections Permitted	Yes (104,159,160)	Yes (41,152)
Unannounced Inspections Conducted	Unknown (159,160)	Yes (41)
Complaint Mechanism Exists	Yes (160)	Yes (41)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (160)	Yes (156)

† Data are for federal inspectorate only. (104)  
‡ Data are for federal inspectorate only. (41)

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Training for Investigators	Yes (153)	Yes (49)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	No (41)
Refresher Courses Provided	Yes (153)	Yes (49)
Number of Investigations	31 (49,153)	601 (49)
Number of Violations Found	Unknown (153)	Unknown
Number of Prosecutions Initiated	31 (153)	Unknown (49)
Number of Convictions	4 (153)	43 (49)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (153)	Yes (49)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (153,179)	Yes (49)

In 2020, state-level prosecutors reported investigating and prosecuting at least 199 cases involving child trafficking victims. (180) In addition, the National Trafficking in Persons Hotline, managed by the Citizens' Council for Safety and Justice of Mexico City, received 2,117 reports of human trafficking and referred cases to the Attorney General of the Republic's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA), the Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO), and state-level

**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
Inter-Institutional Commission for Prevention and Eradication of Child Labor and the Protection of Adolescent Workers of the Permitted Age in Mexico (CITI)	Coordinates Mexico's activities to develop policies, approve programs, and coordinate, monitor, and evaluate efforts to combat child labor, especially its worst forms. Chaired by STPS and includes representatives from the secretariats of the Interior, Economy, Foreign Affairs, Wellbeing, Agriculture, Transportation, Education, Health, Tourism, Social Security, SNDIF, and FGR. (156) Meets on a quarterly basis and includes NGO networks, international technical and financial partners, such as UNODC and IOM, and bilateral partners, including the United States. (156,160) Met regularly during the reporting period and approved the creation of a national network of Local Committees to Prevent and Eradicate Child Labor and Protect Adolescent Workers of the Permitted Age* to improve coordination efforts to address the worst forms of child labor at the municipal and local levels. In addition, implemented a temporary working group to develop policies to prevent child labor during the pandemic. (156)

**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 and coverage of all worst forms of child labor.

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

● The narrative following the table notes 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 descriptions, including its activities and accomplishments, to the extent known, during the reporting period. Where possible, programs are hyperlinked to project websites for additional information. Table notes identify social programs that are funded by the government or were launched 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 tables also may include 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.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Program for the Secretariat of Labor and Social Welfare (2020–2024)†	Aims to strengthen the fundamental rights of work and to increase labor force participation in the formal sector. The plan prioritizes combating child labor as part of STPS' social inclusion strategy. (197)
National Human Rights Program (2020–2024)†	Aims to increase the national well-being of the general population and to ensure equality and equity. Includes actions to ensure children's rights and combat child labor. (156,198)
National Strategy for Inclusive Education (2019–2024)	Supports inclusive education for vulnerable children, including migrant and indigenous children. (199,200) During the reporting period, supported the implementation of the <i>Aprende en Casa</i> program to provide educational services for 25 million students, from pre-school through upper secondary school, including a radio component to reach indigenous children, during the pandemic. (43)
Integral Development Plan for El Salvador, Guatemala, Honduras y México	Aims to support strategic economic development in Mexico and the Northern Triangle countries to address the root causes of migration and increase employment in the region. In 2020, supported the implementation of the <i>Jovenes Construyendo el Futuro</i> program in Honduras and El Salvador, and continued to fund and operate the <i>Centros Integradores para el Migrante</i> shelters in the states of Baja California and one in Chihuahua. These shelters operate as "integration centers," assisting foreign migrants in obtaining employment and providing social services, including educational access, for migrants and their children. (201–207)

† Policy was approved during the reporting period.  
‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (208)

Mexico became a Pathfinder country under Alliance 8.7 in 2019. This involves accelerating commitments toward achieving Sustainable Development Goal Target 8.7, which calls for the eradication of forced labor, modern slavery, and human trafficking by 2030, and the eradication of child labor by 2025. (209,210) As a Pathfinder country, the government developed and implemented the Alliance 8.7 Roadmap to Eradicate Child Labor, Forced Labor, and Trafficking in Persons, which includes the goals of improving information generation on child and forced labor, strengthening coordination between the CITI and the Inter-Institutional Commission for the Prevention and Punishment of Human Trafficking Crimes, and establishing preventative actions to combat child and forced labor in supply chains. In 2020, the government also developed and published a diagnostic document on gaps and priority actions to eradicate child labor and reported on initiatives to combat child labor and forced labor. (209,211)

**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 efforts to address the problem in all sectors and in all states.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Secretariat of Public Education Programs for Indigenous and Migrant Children*	Nationwide Secretariat of Public Education-funded programs to support public education for children in indigenous and migrant communities. These programs include the Indigenous People's Education Diversity Program, a \$3.5 million program created to support the diverse education of indigenous people using a multi-language and multi-cultural approach, and the Educational Program for Migrant School Population, a \$3.5 million program created to support centers of migrant education and improve migrant teaching practices using multi-language and multi-cultural techniques. (41)
Benito Juárez Wellbeing National Scholarship Program†	Secretariat of Public Education cash transfer program that offers two types of scholarships for families living in poverty and students at risk of school desertion. The Wellbeing Basic Education Family Scholarship provides bi-monthly payments of \$80 per household for all children under age 15 enrolled in school, while the Benito Juárez Scholarship provides bi-monthly payments of \$80 to each child enrolled in high school. (213–215) Although the program reaches a high number of students, it has been criticized for providing insufficient cash transfers, lacking monitoring and evaluation, and having implementation issues. (216–221) In 2020, the program assisted scholarship participants age 15 years and older to establish personal bank accounts to facilitate the scholarship cash transfer. The program also carried out surveys at 50,000 schools in marginalized and rural areas to increase outreach and enroll more students of indigenous descent. (222,223)
Support for Indigenous Education Program†	Implemented by the National Institute of Indigenous Peoples to support educational access of children from indigenous and Afro-descendant communities through scholarships, boarding houses, and nutritional support. (224) In 2020, the program assisted 73,912 children through the program's <i>Casas y Comedores de la Niñez Indígena</i> and <i>Casas y Comedores Comunitarios del Estudiante Indígena</i> . (225)
Assistance for At-Risk Minors and Adolescents Program†	Implemented by SNDIF at the state and municipal levels to assist youth at risk for child labor, including in commercial sexual exploitation and in illicit activities, by providing shelters, psychosocial assistance, and training. Research found the program was active during the reporting period in a few states and municipalities, but it is not implemented across all states and municipalities where the program is needed. (41,156)

\* Program was launched during the reporting period.  
† Program is funded by the Government of Mexico.  
‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (41,156,232–238)

**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 Mexico (Table 11).

## Appendix 5

# TDA Country Assessment Criteria

Each country in this report receives an assessment to indicate 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 2020, the country must have (1) instituted the minimum requirements related to laws and regulations, mechanisms, and programs to address and prevent the worst forms of child labor (see Exhibit 1); and (2) 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 2019 report.

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### Exhibit 1

## 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 the 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;
    - Took 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;
    - Took 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 educational opportunities, poverty, or discrimination.
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## Moderate Advancement

A country moderately advanced its efforts in eliminating the worst forms of child labor in 2020 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 2019.

## Minimal Advancement

Three types of countries made minimal advancement in efforts to eliminate the worst forms of child labor in 2020. 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 2019.

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 prohibiting unannounced labor inspections; abolishing the country's labor inspectorate; placing a moratorium on labor inspections; recruiting or using children in armed conflict; prohibiting girls who are pregnant from attending regular public schools or taking secondary and postsecondary school entrance exams; and a pattern of detaining, arresting, charging, or prosecuting worst forms of child labor victims for any offense that is the direct result of their victimization. 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 2020. 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 2019, and had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2020.
- **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 2019, but had a policy or demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents in 2020.

## 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. This year, no assessment has been made regarding Christmas Island, Cocos (Keeling) Islands, and Wallis and Futuna.

## TDA Country Assessments

COUNTRY	REGION	2020 ASSESSMENT LEVEL
<b>SIGNIFICANT ADVANCEMENT</b>		
Argentina	LAC	Significant Advancement
Colombia	LAC	Significant Advancement
Costa Rica	LAC	Significant Advancement
Ecuador	LAC	Significant Advancement
Mexico	LAC	Significant Advancement
Peru	LAC	Significant Advancement
<b>MODERATE ADVANCEMENT</b>		
Albania	EUR	Moderate Advancement
Algeria	MENA	Moderate Advancement
Angola	AF	Moderate Advancement
Bangladesh	IP	Moderate Advancement
Benin	AF	Moderate Advancement
Bhutan	IP	Moderate Advancement
Bolivia	LAC	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement
Brazil	LAC	Moderate Advancement
Burkina Faso	AF	Moderate Advancement
Burundi	AF	Moderate Advancement
Cabo Verde	AF	Moderate Advancement
Cameroon	AF	Moderate Advancement
Central African Republic	AF	Moderate Advancement
Chad	AF	Moderate Advancement
Chile	LAC	Moderate Advancement
Comoros	AF	Moderate Advancement
Congo, Democratic Republic of the	AF	Moderate Advancement
Congo, Republic of the	AF	Moderate Advancement
Cook Islands	IP	Moderate Advancement
Côte d'Ivoire	AF	Moderate Advancement
Djibouti	AF	Moderate Advancement

COUNTRY	REGION	2020 ASSESSMENT LEVEL
<b>MODERATE ADVANCEMENT (CONTINUED)</b>		
Dominican Republic	LAC	Moderate Advancement
Egypt	MENA	Moderate Advancement
El Salvador	LAC	Moderate Advancement
Ethiopia	AF	Moderate Advancement
Fiji	IP	Moderate Advancement
Georgia	EUR	Moderate Advancement
Ghana	AF	Moderate Advancement
Guatemala	LAC	Moderate Advancement
Guyana	LAC	Moderate Advancement
Haiti	LAC	Moderate Advancement
Honduras	LAC	Moderate Advancement
India	IP	Moderate Advancement
Indonesia	IP	Moderate Advancement
Jamaica	LAC	Moderate Advancement
Jordan	MENA	Moderate Advancement
Kazakhstan	IP	Moderate Advancement
Kenya	AF	Moderate Advancement
Kiribati	IP	Moderate Advancement
Kosovo	EUR	Moderate Advancement
Lesotho	AF	Moderate Advancement
Liberia	AF	Moderate Advancement
Madagascar	AF	Moderate Advancement
Malawi	AF	Moderate Advancement
Maldives	IP	Moderate Advancement
Mauritius	AF	Moderate Advancement
Montenegro	EUR	Moderate Advancement
Morocco	MENA	Moderate Advancement
Mozambique	AF	Moderate Advancement
Namibia	AF	Moderate Advancement
Nepal	IP	Moderate Advancement
Nigeria	AF	Moderate Advancement



COUNTRY	REGION	2020 ASSESSMENT LEVEL
<b>MODERATE ADVANCEMENT (CONTINUED)</b>		
Norfolk Island	IP	Moderate Advancement
North Macedonia	EUR	Moderate Advancement
Oman	MENA	Moderate Advancement
Pakistan	IP	Moderate Advancement
Panama	LAC	Moderate Advancement
Paraguay	LAC	Moderate Advancement
Philippines	IP	Moderate Advancement
Rwanda	AF	Moderate Advancement
Saint Vincent and the Grenadines	LAC	Moderate Advancement
Senegal	AF	Moderate Advancement
Serbia	EUR	Moderate Advancement
Sri Lanka	IP	Moderate Advancement
Thailand	IP	Moderate Advancement
Togo	AF	Moderate Advancement
Tunisia	MENA	Moderate Advancement
Tuvalu	IP	Moderate Advancement
Uzbekistan	IP	Moderate Advancement
Western Sahara	MENA	Moderate Advancement
Zambia	AF	Moderate Advancement
Zimbabwe	AF	Moderate Advancement
<b>MINIMAL ADVANCEMENT</b>		
Belize	LAC	Minimal Advancement
Botswana	AF	Minimal Advancement
Eswatini	AF	Minimal Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement
Guinea	AF	Minimal Advancement
Guinea-Bissau	AF	Minimal Advancement
Lebanon	MENA	Minimal Advancement
Nicaragua	LAC	Minimal Advancement
Niger	AF	Minimal Advancement
Papua New Guinea	IP	Minimal Advancement

COUNTRY	REGION	2020 ASSESSMENT LEVEL
<b>MINIMAL ADVANCEMENT (CONTINUED)</b>		
Saint Lucia	LAC	Minimal Advancement
Samoa	IP	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement
Sierra Leone	AF	Minimal Advancement
Solomon Islands	IP	Minimal Advancement
South Africa	AF	Minimal Advancement
Suriname	LAC	Minimal Advancement
Vanuatu	IP	Minimal Advancement
West Bank and the Gaza Strip	MENA	Minimal Advancement
<b>MINIMAL ADVANCEMENT – Efforts Made but Regression in Law/Policy/Practice that Delayed Advancement</b>		
Gambia, The	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
<b>MINIMAL ADVANCEMENT – Efforts Made but Continued Law/Policy/Practice that Delayed Advancement</b>		
Afghanistan	IP	Minimal Advancement – Efforts Made but Continued Practice 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
Cambodia	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Gabon	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Iraq	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Kyrgyz Republic	IP	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement
Mali	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement
Moldova	EUR	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement
Mongolia	IP	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement

COUNTRY	REGION	2020 ASSESSMENT LEVEL
<b>MINIMAL ADVANCEMENT – Efforts Made but Continued Law/Policy/Practice that Delayed Advancement (CONTINUED)</b>		
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Timor-Leste	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tonga	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Uganda	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Yemen	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
<b>NO ADVANCEMENT</b>		
Anguilla	EUR	No Advancement
British Virgin Islands	EUR	No Advancement
Dominica	LAC	No Advancement
Grenada	LAC	No Advancement
Montserrat	EUR	No Advancement
Niue	IP	No Advancement
Saint Helena, Ascension, and Tristan da Cunha	EUR	No Advancement
Tokelau	IP	No Advancement
<b>NO ADVANCEMENT – Efforts Made but Complicit in Forced Child Labor</b>		
Burma	IP	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
<b>NO ASSESSMENT</b>		
Christmas Island	IP	No Assessment
Cocos (Keeling) Islands	IP	No Assessment
Wallis and Futuna	EUR	No Assessment



## Comparisons in TDA Assessments from 2019 to 2020, by Country

COUNTRY	REGION	2019 ASSESSMENT LEVEL	2020 ASSESSMENT LEVEL
Afghanistan	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Albania	EUR	Moderate Advancement	Moderate Advancement
Algeria	MENA	Moderate Advancement	Moderate Advancement
Angola	AF	Moderate Advancement	Moderate Advancement
Anguilla	EUR	No Advancement	No 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 Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Bangladesh	IP	Moderate Advancement	Moderate Advancement
Belize	LAC	Moderate Advancement	Minimal Advancement
Benin	AF	Moderate Advancement	Moderate Advancement
Bhutan	IP	Moderate Advancement	Moderate Advancement
Bolivia	LAC	Moderate Advancement	Moderate Advancement
Bosnia and Herzegovina	EUR	Moderate Advancement	Moderate Advancement
Botswana	AF	Minimal Advancement	Minimal Advancement
Brazil	LAC	Moderate Advancement	Moderate Advancement
British Virgin Islands	EUR	No Advancement	No Advancement
Burkina Faso	AF	Minimal Advancement	Moderate Advancement
Burma	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	No Advancement – Efforts Made but Complicit in Forced Child Labor
Burundi	AF	Moderate Advancement	Moderate Advancement
Cabo Verde	AF	Moderate Advancement	Moderate Advancement
Cambodia	IP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Cameroon	AF	Moderate Advancement	Moderate Advancement
Central African Republic	AF	Moderate Advancement	Moderate Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL	2020 ASSESSMENT LEVEL
Chad	AF	Moderate Advancement	Moderate Advancement
Chile	LAC	Moderate Advancement	Moderate Advancement
Christmas Island	IP	Moderate Advancement	No Assessment
Cocos (Keeling) Islands	IP	Moderate Advancement	No Assessment
Colombia	LAC	Significant Advancement	Significant Advancement
Comoros	AF	Moderate Advancement	Moderate Advancement
Congo, Democratic Republic of the	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Moderate Advancement
Congo, Republic of the	AF	Moderate Advancement	Moderate Advancement
Cook Islands	IP	Minimal Advancement	Moderate Advancement
Costa Rica	LAC	Significant Advancement	Significant Advancement
Côte d'Ivoire	AF	Moderate Advancement	Moderate Advancement
Djibouti	AF	Moderate Advancement	Moderate Advancement
Dominica	LAC	Minimal Advancement	No 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	Moderate 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	Moderate Advancement	Minimal Advancement
Ethiopia	AF	Moderate Advancement	Moderate Advancement
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	Minimal Advancement
Fiji	IP	Moderate Advancement	Moderate Advancement
Gabon	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Gambia, The	AF	Moderate Advancement	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement
Georgia	EUR	Moderate Advancement	Moderate Advancement
Ghana	AF	Minimal Advancement	Moderate Advancement
Grenada	LAC	No Advancement	No Advancement
Guatemala	LAC	Significant Advancement	Moderate Advancement
Guinea	AF	Minimal Advancement	Minimal Advancement
Guinea-Bissau	AF	Minimal Advancement	Minimal Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL	2020 ASSESSMENT LEVEL
Guyana	LAC	Moderate Advancement	Moderate Advancement
Haiti	LAC	Minimal Advancement	Moderate Advancement
Honduras	LAC	Moderate Advancement	Moderate Advancement
India	IP	Moderate Advancement	Moderate Advancement
Indonesia	IP	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	IP	Moderate Advancement	Moderate Advancement
Kenya	AF	Moderate Advancement	Moderate Advancement
Kiribati	IP	Minimal Advancement	Moderate Advancement
Kosovo	EUR	Moderate Advancement	Moderate Advancement
Kyrgyz Republic	IP	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement
Lebanon	MENA	Moderate Advancement	Minimal Advancement
Lesotho	AF	Moderate Advancement	Moderate Advancement
Liberia	AF	Minimal Advancement	Moderate Advancement
Madagascar	AF	Moderate Advancement	Moderate Advancement
Malawi	AF	Moderate Advancement	Moderate Advancement
Maldives	IP	Minimal Advancement	Moderate Advancement
Mali	AF	Moderate Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Mauritania	AF	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Policy and Practice that Delayed Advancement
Mauritius	AF	Minimal Advancement	Moderate Advancement
Mexico	LAC	No Assessment	Significant Advancement
Moldova	EUR	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement
Mongolia	IP	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement



COUNTRY	REGION	2019 ASSESSMENT LEVEL	2020 ASSESSMENT LEVEL
Montenegro	EUR	Moderate Advancement	Moderate Advancement
Montserrat	EUR	No Advancement	No Advancement
Morocco	MENA	Minimal Advancement	Moderate Advancement
Mozambique	AF	Moderate Advancement	Moderate Advancement
Namibia	AF	Significant Advancement	Moderate Advancement
Nepal	IP	Moderate Advancement	Moderate Advancement
Nicaragua	LAC	Minimal Advancement	Minimal Advancement
Niger	AF	Moderate Advancement	Minimal Advancement
Nigeria	AF	Minimal Advancement	Moderate Advancement
Niue	IP	No Advancement	No Advancement
Norfolk Island	IP	Moderate Advancement	Moderate Advancement
North Macedonia	EUR	Moderate Advancement	Moderate Advancement
Oman	MENA	Moderate Advancement	Moderate Advancement
Pakistan	IP	Minimal Advancement – Efforts Made but Regression in Policy and Practice that Delayed Advancement	Moderate Advancement
Panama	LAC	Moderate Advancement	Moderate Advancement
Papua New Guinea	IP	Minimal Advancement	Minimal Advancement
Paraguay	LAC	Significant Advancement	Moderate Advancement
Peru	LAC	Significant Advancement	Significant Advancement
Philippines	IP	Moderate Advancement	Moderate Advancement
Rwanda	AF	Moderate Advancement	Moderate Advancement
Saint Helena, Ascension, and Tristán da Cunha	EUR	Minimal Advancement	No Advancement
Saint Lucia	LAC	Moderate Advancement	Minimal Advancement
Saint Vincent and the Grenadines	LAC	Minimal Advancement	Moderate Advancement
Samoa	IP	Minimal Advancement	Minimal Advancement
São Tomé and Príncipe	AF	Minimal Advancement	Minimal Advancement
Senegal	AF	Moderate Advancement	Moderate Advancement
Serbia	EUR	Moderate Advancement	Moderate Advancement
Sierra Leone	AF	Moderate Advancement	Minimal Advancement
Solomon Islands	IP	Minimal Advancement	Minimal Advancement

COUNTRY	REGION	2019 ASSESSMENT LEVEL	2020 ASSESSMENT LEVEL
Somalia	AF	Minimal Advancement – Efforts Made but Continued Practices that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
South Africa	AF	Minimal 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	IP	Moderate Advancement	Moderate Advancement
Suriname	LAC	Moderate Advancement	Minimal Advancement
Tanzania	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Thailand	IP	Moderate Advancement	Moderate Advancement
Timor-Leste	IP	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Togo	AF	Minimal Advancement	Moderate Advancement
Tokelau	IP	No Advancement	No Advancement
Tonga	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Tunisia	MENA	Moderate Advancement	Moderate Advancement
Tuvalu	IP	Moderate Advancement	Moderate Advancement
Uganda	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Ukraine	EUR	Minimal Advancement – Efforts Made but Regression in Law that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement
Uzbekistan	IP	Moderate Advancement	Moderate Advancement
Vanuatu	IP	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	Minimal Advancement	Moderate Advancement
Yemen	MENA	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement
Zambia	AF	Moderate Advancement	Moderate Advancement
Zimbabwe	AF	Moderate Advancement	Moderate Advancement

## Appendix 6

## TDA Laws and Ratifications, by Country

COUNTRY	RE- GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER- MO PRO- TOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPUL- SORY EDUCA- TION AGE	FREE PUBLIC EDUCA- TION
Afghanistan	IP	Minimal Advancement - Efforts Made but Continued Practice that Delayed Advancement	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	14	Yes
Anguilla	EUR	No 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	19	Yes
Azerbaijan	EUR	Minimal Advancement - Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Bangladesh	IP	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	14	10	Yes
Belize	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	12	14	Yes



COUNTRY	RE-GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER-MO PRO-TOC-OL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPUL-SORY EDUCA-TION AGE	FREE PUBLIC EDUCA-TION
Benin	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Bhutan	IP	Moderate 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
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	IP	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	14	10	Yes
Burundi	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Cabo Verde	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Cambodia	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	Yes
Cameroon	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	14	12	No
Central African Republic	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes

## 2020 FINDINGS ON THE WORST FORMS OF CHILD LABOR

COUNTRY	RE- GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER- MO PRO- TOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPUL- SORY EDUCA- TION AGE	FREE PUBLIC EDUCA- TION
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	IP	No Assessment	No	Yes	Yes	Yes	Yes	Yes	17.5	17.5	Yes
Cocos (Keeling) Island	IP	No Assessment	No	Yes	Yes	Yes	Yes	Yes	17.5	17.5	Yes
Colombia	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Comoros	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	No
Congo, Democratic Republic of the	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	Yes
Congo, Republic of the	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	16	16	Yes
Cook Islands	IP	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Djibouti	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominica	LAC	No Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Dominican Republic	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes

COUNTRY	RE- GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER- MO PRO- TOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPUL- SORY EDUCA- TION AGE	FREE PUBLIC EDUCA- TION
Eritrea	AF	No Advancement – Efforts Made but Complicit in Forced Child Labor	Yes	Yes	Yes	Yes	Yes	Yes	14	14	No
Eswatini	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	12/13	No
Ethiopia	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	N/A	No
Falkland Islands (Islas Malvinas)	EUR	Minimal Advancement	No	Yes	Yes	No	No	No	14	16	Yes
Fiji	IP	Moderate Advancement	Yes	Yes	Yes	No	No	Yes	15	15	Yes
Gabon	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Gambia, The	AF	Minimal Advancement – Efforts Made but Regression in Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Guinea	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	No



2020 FINDINGS ON THE WORST FORMS OF CHILD LABOR

COUNTRY	RE-GION	2020 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
Guinea-Bissau	AF	Minimal 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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	15	Yes
Honduras	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
India	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes
Indonesia	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	No
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	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	17	Yes
Kenya	AF	Moderate Advancement	Yes	Yes	Yes	No	Yes	Yes	16	18	No
Kiribati	IP	Moderate 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	IP	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes

COUNTRY	RE-GION	2020 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
Lebanon	MENA	Minimal 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	Moderate Advancement	No	Yes	Yes	No	No	Yes	15	14	Yes
Madagascar	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Malawi	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	18	Yes
Maldives	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Mali	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed 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
Mexico	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Moldova	EUR	Minimal Advancement – Efforts Made but Continued Law and Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	18	Yes

COUNTRY	RE-GION	2020 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
Mongolia	IP	Minimal Advancement – Efforts Made but Continued Law 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	No 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	14	Yes
Nepal	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	14	Yes
Nicaragua	LAC	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	12	Yes
Niger	AF	Minimal 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	IP	No Advancement	No	No	Yes	No	No	No	N/A	16	Yes
Norfolk Island	IP	Moderate Advancement	No	Yes	Yes	Yes	Yes	Yes	15	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	15	15	Yes
Pakistan	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	No	14	16	Yes
Panama	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	15	Yes



COUNTRY	RE-GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER-MO PRO-TOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC-CSEC	CRC-AC			COMPUL-SORY EDUCA-TION AGE	FREE PUBLIC EDUCA-TION
Papua New Guinea	IP	Minimal Advancement	Yes	Yes	Yes	No	No	No	16	N/A	No
Paraguay	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Peru	LAC	Significant Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	17	Yes
Philippines	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	18	Yes
Rwanda	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	12	No
Saint Helena, Ascension, and Tristán da Cunha	EUR	No Advancement	No	Yes	Yes	No	No	No	16	16	Yes
Saint Lucia	LAC	Minimal Advancement	No	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Saint Vincent and the Grenadines	LAC	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	14	16	Yes
Samoa	IP	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	No	15	16	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	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Sierra Leone	AF	Minimal Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Solomon Islands	IP	Minimal Advancement	Yes	Yes	Yes	No	No	No	12	N/A	No

2020 FINDINGS ON THE WORST FORMS OF CHILD LABOR

COUNTRY	RE- GION	2020 ASSESSMENT	ILO C. 138	ILO C. 182	CRC	CRC OPTIONAL PROTOCOLS		PALER- MO PRO- TOCOL	MIN. AGE FOR WORK	EDUCATION	
						CRC- CSEC	CRC- AC			COMPUL- SORY EDUCA- TION AGE	FREE PUBLIC EDUCA- TION
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
Sri Lanka	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Suriname	LAC	Minimal 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	13	No
Thailand	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Timor-Leste	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	No	Yes	Yes	Yes	Yes	Yes	15	16	Yes
Togo	AF	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	15	Yes
Tokelau	IP	No Advancement	No	No	No	No	No	No	N/A	16	Yes

COUNTRY	RE-GION	2020 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
Tonga	IP	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	No	Yes	Yes	No	No	No	N/A	18	No
Tunisia	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	16	Yes
Tuvalu	IP	Moderate Advancement	No	Yes	Yes	No	No	No	15	15	No
Uganda	AF	Minimal Advancement – Efforts Made but Continued Practice that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	No	16	13	No
Ukraine	EUR	Minimal Advancement – Efforts Made but Continued Law that Delayed Advancement	Yes	Yes	Yes	Yes	Yes	Yes	16	17	Yes
Uzbekistan	IP	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	18	18	Yes
Vanuatu	IP	Minimal Advancement	Yes	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	Yes	15	16	Yes
Western Sahara	MENA	Moderate Advancement	Yes	Yes	Yes	Yes	Yes	Yes	15	16	Yes



COUNTRY	RE-GION	2020 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
Yemen	MENA	Minimal Advancement – Efforts Made but Continued 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	16	No



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Franklin and Kelly develop their computer skills at Compassion International's church-based child development center. Honduras. 2019.

## Appendix 7

# Reference Materials – Key Concepts and Definitions

## *Children's Work and Education Statistics: Sources and Definitions*

In this report, 99 country profiles 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 within them. 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 2010). 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 exist but have 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

The term 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 that 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 and UNICEF Child Labour: Global Estimates 2020, Trends and the Road Forward* (45; 58). The 20th ICLS definition classifies working children as those engaged in any activity to produce goods or to provide services for use by others or for own use. The definition also includes the production of additional types of services for family use, unpaid trainee work by children, volunteer work by children, and other work activities by children. Since most countries are in the process of adapting survey instruments to reflect this new definition, the definition of working children from the 18th ICLS Resolution has been used in this report.

## 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. Furthermore, 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: (1) the ILO's Statistical Information and Monitoring Program on Child Labor (SIMPOC) surveys; (2) national Labor Force Surveys (LFS); (3) UNICEF's Multiple Indicator Cluster Surveys (MICS); and (4) other national and regional household surveys, including Demographic and Health Surveys (DHS). (67)

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. (68) This observation was repeated in December 2008 at the 18th ICLS. 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 countries can use a narrower definition of children's work that excludes such services, as long as the definition used is clearly specified. (69) 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 some SIMPOC reports do not, depending on each country's basis for reporting. 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 229 datasets. 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; however, 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 thus 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 measure the labor force participation of adults—may affect estimates of children's work. (70) Additionally, 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. (71) 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, 7 to 14, or 10 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 or 10 to 14.



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A boy collects wheat that has been thrashed after the government relaxed the weeks-long lockdown to curb the spread of COVID-19. Peshwar, Pakistan. May 18, 2020.

## 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- and underage 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 3, 2021, 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 United Nations Development Program (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 February 2021. All population-based indicators, including the gross intake ratio to the last grade of primary education, are re-calculated every year 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. (72)

### 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: (1) developed economies, (2) economies in transition, (3) developing economies, and (4) 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 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 gross national income, 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. (73)



## Number of Labor Inspectors

Article 10 of ILO C. 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; however, 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. (74)

## 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. (75)

## 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. 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 an education and the state’s duty to ensure that primary education is free and compulsory. (5; 76-79)

### 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). (80)

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 inter-generational debt. (4; 81)

Bonded labor is prohibited as one of the worst forms of child labor in ILO C. 182. (5)

### Child Domestic Worker

A "child domestic worker" works in third-party private households under an employment relationship and engages 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. (82; 83)

### Child Labor Elimination Projects

Since 1995, USDOL has funded 345 projects in 99 countries. USDOL currently oversees more than \$256 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. (84)

### 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." As such, 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." (85)

The trafficking of children is prohibited as a worst form of child labor in ILO C. 182, Article 3(a). (5)

### 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." (86; 87; 88) 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, and in such places as brothels, discotheques, massage parlors, bars, hotels, and restaurants;
  - ◆ Child sex tourism;
  - ◆ The production of pornography involving children; and
  - ◆ 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. (5)

### Compulsory Education Age

The age up to which children and youth are legally required to attend school. (76)

### 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." (89)

### 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.

### 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. (90)

### 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; however, 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." (90; 91)

### 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 ICLS 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” informal settings likely face increased risk of exploitation, including injury. Additionally, 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. (92; 93)

### 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). Countries may also permit the employment of children who are at least 15 but have not yet completed compulsory schooling in light work under Article 7(2). Countries permitting light work under Article 7 must specify limitations on their hours of work, as well as activities and conditions in which light work may be undertaken. (63)

### 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. (81)

### 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. (81)

### 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). (94)

### 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). (95)

### 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 the International Monetary Fund, 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. (96)

### 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). (85) 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 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. (97)

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; however, 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. (98)

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. (5; 63; 97)

### 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: (1) for long hours; (2) in an unhealthy environment, including equipment or heavy loads; or (3) in dangerous locations. (58)



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Children write "father, mother" on the blackboard at a school in the village of Staromykhailovka in the Donetsk Region, which is on the frontline between the cities of Donetsk and Mariyanovka. Staromykhailovka, Ukraine. November 5, 2015.



# Research Framework and Organization of TDA 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. Due to the COVID-19 pandemic, labor force surveys varied significantly, often reflecting the changing employment numbers in a country. Therefore, labor force data from the 2019 reporting year were used for the 2020 report.

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. (75)

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, DC-based foreign embassies of the countries included in this report. (99) Data also were gathered through 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 often are 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. 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 2010) 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 Appendix 7.

Additionally, 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 toward identified problem areas to achieve maximum impact.

Due to an inability to travel to each country covered in the report, especially during the COVID-19 pandemic, ILAB relied 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, 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 program to implement its international commitments to eliminate the worst forms of child labor. (i) 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 2020 in a single paragraph, beginning with a statement identifying the assessment level assigned to the country for 2020. Following the statement of assessment, the summary includes meaningful efforts taken by a government to implement its commitment to eliminating 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 as relevant, 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 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. (75) 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 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 elements of the human trafficking process—recruiting, harboring, transporting, transferring, and receiving persons.

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.

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.

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 has “established formal institutional mechanisms to investigate and address complaints relating to allegations of the worst forms of child labor.” (i) 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 onsite 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 that 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. (74)

Additionally, 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 the worst forms of 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.” (1) 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.” (1) 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.” (90) 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. (5) 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 the 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.” (1) 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 the 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 that 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 which may be 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 identifying and assessing a country’s efforts, ILAB 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. Additionally, 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.”



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CSO volunteers in partnership with UNICEF engage with adolescents to discuss perceptions and experiences of violence and safety with a focus on gender-based violence. Khodiyarnagar, Ahmedabad, Gujarat, India. December 7, 2020.



## 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 socioeconomic 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 C. 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 C. 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 onsite 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*.





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Alondra smiles at her desk in one of Compassion International's church-based development centers. Nicaragua. 2019.

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Front Cover Photo:

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Shakib, age 12, works from early morning to late evening in a rickshaw parts factory to support his family. Bangladesh. March 13, 2018.



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Children and women doing heavy labor in the coal fields. Jharia, India. 2016.

# Country Profiles



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Afghanistan made minimal advancement in efforts to eliminate the worst forms of child labor. The National Security Council approved a National Anti-Trafficking in Persons Action Plan, which mandates steps to eliminate the criminal practice of bacha bazi—a form of commercial sexual exploitation of boys—by those in positions of power. In addition, it achieved its first indictment of a government employee, a school headmaster, for bacha bazi crimes uncovered in investigations of the Logar province school system in 2019 and 2020. This indictment, along with numerous other prosecutions, convictions, and stringent prison sentences achieved during the year, are indicative of a nascent shift away from a culture of impunity toward one of greater accountability for these crimes. Furthermore, the Ministry of Labor and Social Affairs established 10 new Child Protection Action Network units, and Child Protection Units within the Afghan National Police recruitment centers operated in all provinces. However, despite new initiatives to address child labor, Afghanistan is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate child labor. In 2020, the government arrested, detained, and prosecuted children for terrorism-related crimes, including some younger than age 12, who had been forcibly recruited by non-state armed groups. Furthermore, authorities considered some child trafficking victims, especially those engaged in bacha bazi or armed conflict, as criminals, housing them in juvenile detention centers and subjecting them to torture and other forms of ill treatment rather than referring them to victim support services. Children in Afghanistan are subjected to the worst forms of child labor, including in commercial sexual exploitation, armed conflict, and forced labor in the production of bricks and carpets, each sometimes as a result of human trafficking. 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. In addition, Afghan law does not sufficiently criminalize forced labor, debt bondage, or the commercial sexual exploitation of girls.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Afghanistan are subjected to the worst forms of child labor, including in commercial sexual exploitation, armed conflict, and forced labor in the production of bricks and carpets, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Afghanistan.

**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 (%)		85.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010-2011. (5)

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



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

Sector/Industry	Activity
Agriculture	Farming, including harvesting poppies (2,6-10)
	Herding (2,7,9,10)
Industry	Carpet weaving† (2,7,11-13)
	Construction, including gravelling, paving, and painting (2,7,10,11,14,15)
	Coal, gold, and salt mining† (16-18)
	Brickmaking (2,10-12,19-21)
	Working in metal workshops, including in the production of doors, windows, and water tanks (10,12,22,23)
	Working as tinsmiths and welders† (10,11,13)
Services	Domestic work (9,13,24,25)
	Transporting water and goods, including across international borders (7)
	Street work, including peddling, vending, shoe shining, carrying goods, and begging (7,10,13,26,27)
	Collecting garbage† (10,13,14,26,28)
	Washing cars (7,10,11)
	Selling goods in stores (10,11,22)
	Collecting and selling firewood (7,10,29)
	Repairing automobiles (10,14,30)
	Tailoring in garment workshops (10,21)
	Pushing loads on a wheelbarrow ( <i>krachiwani</i> ) (10,11,31)
	Working as waiters in restaurants (10,11,32)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including in the production and trafficking of drugs, and pickpocketing (2,3,10,23,26,32-38)
	Domestic work, sometimes as a result of human trafficking (24,33)
	Commercial sexual exploitation, sometimes as a result of human trafficking (10,33,39-42)
	Forced labor in begging and the production of bricks and carpets, and for use as assistant truck drivers, each sometimes as a result of human trafficking (1,3,12,13,23,32,33,43-45)
	Recruitment of children by non-state armed groups for use in armed conflict, sometimes as a result of human trafficking (46-48)
	Recruitment of children by state armed groups for use in armed conflict. (46,47)

† 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.

Boys across the country are subject to commercial sexual exploitation through the practice of *bacha bazi*, which typically entails keeping a male or transgendered child for the purpose of sexual gratification. Although *bacha bazi* is prohibited by the Trafficking in Persons Law, the Penal Code, and the Ministry of Defense Protection of Children in Armed Conflict Policy, a significant challenge remains in ensuring accountability. (51) Perpetrators of this crime include police commanders, military members, tribal leaders, warlords, members of organized crime groups, clergy, and other men, typically with some authority or financial influence, who conspire to make boys available for sex. (52,53) In some cases, these boys may also be forced to serve tea or dance at parties. (54,55) The practice is pervasive in the country, and orphans, runaways, school dropouts, and other marginalized youth are particularly at risk. (33,56,57) Some boys are sold into the practice by their families, and others are abducted from the street, including by police officers. (40,41,59) Members of the Afghan National Police (ANP), the Afghan Local Police (ALP), the Afghan National Army, the Afghan Border Police, and checkpoint commanders exploit boys for *bacha bazi*. Some victims serve tea and conduct errands for government officials, but these everyday tasks take place within the anthropological and underlying criminal context of *bacha bazi*, namely the regular sexual assault of minors—a categorical worst form of child labor that is insidiously and particularly prevalent in corridors of power and authority. (32,33,40,41,51,52,56,60-61)

In 2020, the use of boys for *bacha bazi* remained prevalent. (62,63) For example, at least 10 boys between the ages of 14 and 19 were alleged to have been sexually exploited while working as bodyguards or drivers for an Afghan National Defense and Security Force (ANDSF) commander in the central Highlands region. (64) In Kandahar, a 13-year-old boy was reportedly sexually assaulted as a *bacha bazi* crime by seven members of

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

the ANP, resulting in the death of the child, and these officers were convicted of and sentenced for these crimes. (62,65) In Helmand province, a human rights organization received reports of the continued practice of *bacha bazi* by the members of the ANP. (62) During the reporting period, there was also a meaningful increase in the number of other allegations of the recruitment of children by ANDSF, ANP, and ALP (which was disbanded in September 2020) for not only use in armed conflict (as bodyguards, checkpoint guards, and drivers), but also for the purposes of *bacha bazi*. (64)

According to media and NGO reports, many of these cases went unreported or were referred to traditional mediation, which often allowed perpetrators to re-offend. Cases were further under-reported because the stigma associated with these crimes prevented the vast majority of child victims from bringing cases forward to law enforcement or seeking care, especially when the alleged perpetrators were members of the police force. (63)

In 2020, armed groups and Afghan Government-affiliated military entities recruited children for engagement in combat and security operations, including 172 by the Taliban, 5 by the ANP, 4 by the Afghan National-Army Territorial Force, and 8 jointly by the ALP and pro-government armed groups. (46,66) Low rates of birth registration and the falsification of identity documents contributed to the problem by making it difficult to determine a recruit's age. (62,67,68) Observers reported that some officials accepted bribes to produce false identity documents that indicated that the recipient boys were older than age 18. (33,62) Even newly introduced biometrics efforts have not enabled Child Protection Units to entirely restrict children from enlisting in the police force. (62) Nevertheless, the Child Protection Units at ANP recruitment centers prevented the recruitment of at least 187 children. (3,69,70) Moreover, the Ministry of Defense prevented the recruitment of more than 5,000 children into the ANDSF throughout the country during the reporting period. (71)

Afghan children are victims of human trafficking both domestically and internationally. There were widespread reports of child laborers being subjected to sexual violence within Afghanistan. (10,11,14,26) In Afghanistan, children are also subjected to human trafficking to settle their family's debt, sometimes as a result of their parents' drug addiction, by being forced to produce bricks or illicit drugs. (33,43,48) Some children migrate unaccompanied to engage in child labor. (67,72) Boys, especially those traveling unaccompanied, were particularly vulnerable to human trafficking, including for work in agriculture and construction. (60,67,73) Traffickers in Iran exploit Afghan children in forced labor as beggars and street vendors and in forced criminality, including drug trafficking and smuggling of fuel and tobacco. (33)

Some Afghan nationals living overseas subject Afghan boys to *bacha bazi*, for example, in Germany, Hungary, North Macedonia, and Serbia. (74) In addition, some Afghan boys were subjected to commercial sexual exploitation in Greece after paying high fees as they were trafficked into the country. (60,73,75) Although in these particular circumstances, *bacha bazi* takes place outside of Afghanistan, this sexual exploitation of children causes psychological harm to the Afghan migrant victims, making their re-entry back into Afghanistan upon deportation ever the more fraught with issues pertaining to the use of drugs as a coping mechanism, the stigma and ostracization in Afghan society, and ensuing discrimination. (76) Afghan girls are used for commercial sexual exploitation and domestic work in destination countries, primarily Iran and Pakistan. (24)

Girls from China, Iran, and Pakistan are sometimes trafficked to Afghanistan for the purpose of commercial sexual exploitation. (77)

UNICEF estimated that 3.7 million school-age children were out of school in the country, 60 percent of whom are girls, according to the latest available figures in 2019. (78) Barriers to education for children included displacement of populations due to conflict, the use of schools as military bases, attacks on schools, living long distances from schools, school-related fees, lack of security, lack of female teachers in girls' schools, and lack of identity documentation. (3,15,79-81) To mitigate the spread of COVID-19, the government closed schools from March to October 2020. (82) Research indicates that an increase occurred in the recruitment of children for use in armed conflict and child labor, especially in provinces where the level of child protection services were not necessarily adequate in addressing the full extent of the issue. (3,81)




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### 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 and commercial sexual exploitation.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	15	Article 13 of the Labor Law (83)
Minimum Age for Hazardous Work	Yes	18	Articles 13 and 120 of the Labor Law; Article 613 of the Penal Code; Article 63 of the Law on Protection of Child Rights (83-85)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Prohibited Jobs for Child Laborers; Article 613 of the Penal Code (84,86)
Prohibition of Forced Labor	No		Article 4 of the Labor Law; Article 37 of the Law on the Elimination of Violence Against Women (83,87)
Prohibition of Child Trafficking	Yes		Articles 510–512 of the Penal Code (84)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 18.2 of the Law on Elimination of Violence Against Women; Articles 510–512, 650, and 652–667 of the Penal Code (84,87)
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 (86,88)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 605–608 of the Penal Code (84)
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 (84)
Compulsory Education Age	Yes	15‡	Article 17 of the Education Law; Article 609 of the Penal Code (84,89)
Free Public Education	Yes		Article 17 of the Education Law (89)

\* No conscription (90)

‡ Age calculated based on available information (91)

The Afghan Labor Law’s minimum age provision prohibits those under age 18 from being “recruited as a worker.” (83) However, the law defines “worker” as a person who is “recruited based on a definite contract,” meaning that the minimum age provision does not apply to those in informal employment. Afghan law does not sufficiently criminalize forced labor or debt bondage. (83)



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The Penal Code explicitly prohibits and sets penalties for the use of male or transgender children for *bacha bazi* and prohibits the use of girls for prostitution and pornographic performances. However, the legal framework does not adequately criminalize the use of children for the production of pornography. (85,87)

### 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 enforcement agencies 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, and coordinate and provide case management. (3,92) Not all provinces have a CPAN chapter. The capacity of CPAN chapters is not uniform or based on need, and the type of intervention depends on members of a particular CPAN chapter and resources available. (32)
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 (AGO) and NGO shelters; and operates a shelter for trafficking victims in Kabul. (32)
Ministry of Interior	Enforces laws related to child trafficking, the use of children in illicit activities, and child sexual exploitation. (32)
National Directorate of Security	Identifies human trafficking victims and refers these cases to the Ministry of Interior. (32)
AGO	Investigates and prosecutes human trafficking, abduction, and sexual exploitation cases. (32)

During the reporting period, the Ministry of Labor and Social Affairs (MoLSA) established 10 new Child Protection Action Network (CPAN) units, totaling 212 active units. (3) With this increase, CPAN operates in 171 out of 325 districts. CPAN units held monthly meetings and worked on 3,500 cases. This caseload in 2020 represents an increase from 2019, when 2,700 cases were processed. (3) These units can respond to complaints of child labor, investigate cases, and issue warnings or refer criminal cases to the Attorney General's Office. However, a person wishing to file a complaint must specify the precise legal statute for the labor violations in writing, making it cumbersome for some citizens to do so. (92,93) Research also indicates that limited training and resources hinder prompt government actions to complaints about child labor. (3)

#### **Labor Law Enforcement**

In 2020, 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	2019	2020
Labor Inspectorate Funding	Unknown (2)	Unknown (3)
Number of Labor Inspectors	Unknown (2)	Unknown
Inspectorate Authorized to Assess Penalties	No (94)	No (94)
Initial Training for New Labor Inspectors	No (2)	No (3)
Training on New Laws Related to Child Labor	Unknown (2)	Unknown (3)
Refresher Courses Provided	Unknown (2)	Unknown (3)
Number of Labor Inspections Conducted	Unknown (2)	Unknown (3)
Number Conducted at Worksite	Unknown (2)	Unknown (3)
Number of Child Labor Violations Found	Unknown (2)	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)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Unknown (2)	Unknown (3)
Routine Inspections Targeted	Unknown (2)	Unknown (3)
Unannounced Inspections Permitted	Yes (94)	Yes (94)
Unannounced Inspections Conducted	Unknown (2)	Unknown (3)
Complaint Mechanism Exists	Yes (2)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (2)	No (3)

In 2020, the government did not report the number of labor inspectors; however, as of December 2018, MoLSA had 27 inspector positions, 21 of which were filled. (2,3,32) The number of labor inspectors is likely insufficient for the size of Afghanistan’s workforce, which includes more than 7.9 million workers. (95) 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. (96-98) Government officials, NGOs, and UNICEF acknowledge that the number of labor inspectors is insufficient. (96) Moreover, sources indicate that labor inspections take place only in the capital, Kabul. (3)

There is no *de jure* prevention of inspections and unannounced inspections of private enterprises in Afghanistan. (94) However, in practice, reporting suggests that MoLSA has been more inclined to inspect public organizations. This leaves a gap of uninspected worksites in the private sector, as well as in the informal economy. (3,24,32,92,96) Many forms of child labor in Afghanistan occur in the informal sector. (10) In addition, government officials and other stakeholders stated that the government lacked resources, including training, for the enforcement of child labor laws. (32)

### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (3)
Refresher Courses Provided	No (99)	Unknown (3)
Number of Investigations	15 (99)	Unknown (3)
Number of Violations Found	17 (99)	Unknown (3)
Number of Prosecutions Initiated	10 (99)	Unknown (3)
Number of Convictions	4 (99)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	2 (100)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (48)	No (3)

In response to the widespread sexual exploitation of children at schools in Logar province in 2019, 20 suspects were arrested and 9 individuals were convicted and sentenced in 2020, as announced by courts in Logar and Kabul. The sentences ranged between 5 and 22 years of imprisonment. (3) Among the indicted individuals, one was a headmaster at a school in Logar province. This indictment of a school headmaster represents the first time the government is holding a civilian government employee legally responsible for alleged crimes in the Logar incident. (71) These arrests and convictions are a departure from prior years of impunity for government officials involved in the criminal practice of *bacha bazi*. (62,71,101)

In addition, the Afghan judicial process has for the first time included anti-corruption measures in the indictment and prosecution of suspected perpetrators of *bacha bazi*. For example, Kandahar’s governor sent seven members

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of the ANP—including an influential commander—to trial in Kabul, which purportedly has a less corrupt judicial process than Kandahar. (62,65) The seven members were suspected of sexually abusing a 13 year old boy in Kandahar; one of the seven was given the death penalty, and others were sentenced to lengthy prison terms on charges including rape, as well as *bacha bazi* (two of them receiving sentences of 30 years of imprisonment and the other four were sentenced to 24 years of imprisonment). (62,65,71)

Moreover, in Badakhshan and Kunduz, members of the Afghan National Army were prosecuted and convicted of *bacha bazi*, for which they received sentences of 18 months' imprisonment. (71) In the northern province of Takhar, four members of the Afghan Security Forces were arrested and jailed in July 2020 after being accused of raping two boys—a 13-year-old and a 14-year-old—in a battalion headquarters base. (101) This move to hold police commanders and Afghan Security Forces personnel accountable represents a shift in political attitude towards less tolerance of *bacha bazi* by those in authority. (101)

During the reporting period, the Ministry of Interior sought to bring perpetrators of *bacha bazi* within their own ranks to justice. These internal investigations resulted in 13 employees being charged with committing *bacha bazi*. (71)

To build capacity and increase awareness of *bacha bazi*, the National Directorate of Security carried out 89 seminars in 2020 on child protection, prevention of trafficking in persons, and *bacha bazi*. Trainings were also provided by the Ministry of Justice to about 300 prosecutors, judges, and attorneys pertaining to the penal code's coverage of *bacha bazi* cases. (71)

The Government of Afghanistan publicly established a protection mechanism in cooperation with 32 human rights organizations in Afghanistan to prevent harassment of human rights defenders at the start of the reporting period. This action was in response to the aftermath of the Logar incident, in which the whistleblowers—who were responsible for exposing the widespread sexual exploitation of children—were unjustly detained. (102)

Despite unprecedented meaningful progress in holding government officials responsible for *bacha bazi* crimes, victims of human trafficking were routinely prosecuted and convicted of crimes during the reporting period. (33,103,104) 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. (3,33,47,106) The government arrested, detained, and prosecuted for terrorism-related crimes children younger than age 12 who had been forcibly recruited by non-state armed groups. Furthermore, authorities housed some child trafficking victims in juvenile detention centers, sometimes for several years. (81) Such children are considered criminals even after being transferred to rehabilitation centers. (33,59) The UN reported that some of these children were subjected to torture and ill treatment. (106,107)

Although information was unavailable for 2020, government officials had previously stated that they lacked equipment and transportation to carry out investigations. (108) In addition, 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. (3,32)

## 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.



# Afghanistan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Coordinating Body	Role & Description
National Commission on Protection of Child Rights	Monitors and protects children's rights established under the Law on Protection of Child Rights and strengthens national coordination on child protection. Participants include representatives from the AGO, the Ministry of Education, and other bodies. (109,110) Includes an inter-ministerial technical committee, chaired by the MoLSA Minister, to ensure that the Child Act is operational at the provincial and district levels.(109) In 2020, it ratified the national policy on child protection.
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. (24,111) Focuses on <i>bacha bazi</i> . (48) Met twice during the reporting period. (3) The Commission stated that ministries did not provide detailed enforcement information, making it difficult for the Commission to issue reports. (112)
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. (24) Research was unable to determine whether this committee 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 may hinder efforts to address child labor, including implementation.

**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. (113) In 2020, MoLSA's Child Protection department directed national organizations and NGOs involved in child protection to report on their efforts in line with the National Labor Policy. However, no significant actions were indicated. (114)
National Child Labor Strategy and Action Plan	Aims to eliminate the worst forms of child labor by 2025 and all child labor by 2030. Makes recommendations to improve social protections and oversight. (2) In 2020, MoLSA's Child Protection department directed national organizations and NGOs involved in child protection to report on their efforts in line with the National Child Labor Strategy and Action Plan. However, no significant actions were indicated. (114)
National Anti-Trafficking in Persons Action Plan†	Organizes the government response to human trafficking, including <i>bacha bazi</i> , with a three-pronged approach: it mandates the National Child Protection Committee to find and respond to <i>bacha bazi</i> cases among Afghan civil servants; it encourages the implementation of laws, the prevention of child recruitment, and the reporting of corruption by the Ministry of Defense, the Ministry of Interior, and the National Directorate of Security; and it oversees the production of annual or semiannual interagency progress reports on addressing trafficking in persons. (101,115,116) Created and approved by Afghanistan's National Security Council during the reporting period. Operations, such as finding and responding to <i>bacha bazi</i> cases among civil servants, began under this plan in 2020. (101,115,116)
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, victims of child trafficking, child soldiers, and other children affected by conflict. (117) 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	Protects 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 CPAN chapters other organizations. (118) As of September 2020, 82 children were prevented from joining the Afghan National Police during the reporting period. (69,70) The Ministry of Defense reportedly prevented the recruitment of more than 5,000 children into the Afghan National Defense and Security Forces throughout the country during the reporting period. (71)

† Policy was approved during the reporting period.

During the reporting period, the Government of Afghanistan took meaningful action to address the practice of *bacha bazi* by individuals beyond members of the national security forces, including government officials and employees affiliated with government agencies, through its National Action Plan. This led to the first ever indictment of a governmentally affiliated employee, a school headmaster, in Logar, as well as the indictment of employees working within the Ministry of Interior, all for *bacha bazi* crimes. (101)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 adequacy to address the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Child Protection Units (CPUs) of the Afghan National Police†	Units located within Afghan National Police recruitment centers to ensure that children are not recruited to join armed conflict. Operate in all provinces. (3) CPUs inspected e-tazkeera (ID cards) and compared them against the physical appearance of applicants, but the government did not have sufficient CPU reporting channels to identify children, prevent them from joining the security forces, or provide shelter, services, and family reintegration. (114,119,120) Despite insufficient reporting channels between CPUs and the government, CPUs prevented the recruitment of 277 children. (3)
Juvenile Rehabilitation Center†	Provides educational, social, and psychological support, and vocational training in Kabul to children who were previously engaged in armed conflict. (121,122) Nearly 800 children are project participants of the services provided by the Juvenile Rehabilitation Center; according to the Ministry of Justice. (114)
Asia Regional Child Labor Program (2019–2023)	Program is funded by and implemented by human rights organizations. Works with the government to ensure that policies on child labor align with international conventions while strengthening local and national Plans of Action. Contains a special focus on internally displaced persons and returnee migrants, along with other groups vulnerable to child labor and human trafficking. (123)

† Program is funded by the Government of Afghanistan.

During the reporting period, the government provided cash assistance to 1,500 families whose children were found to be working in brick kilns. Although these families were provided with approximately \$55 (4,200 Afghan Afghani), it was not reported whether the children were removed from the situation of child labor. (3)

There is no evidence of programs designed specifically to prevent and eliminate child labor in all relevant sectors, such as in commercial sexual exploitation or 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. (33,81)

### 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).

**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 engaged in informal employment.	2019 – 2020
	Ensure that the law criminally prohibits the use of female children for prostitution and pornographic performances and the use of all children for the production of pornography.	2017 – 2020
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2020
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 – 2020
	Track and publish information on labor inspections, including labor inspectorate funding, number of labor inspectors, number and type of child labor inspections, number of violations found, and number of child labor violations for which penalties were imposed.	2015 – 2020
	Authorize the labor inspectorate to assess penalties for violations of Afghan law.	2015 – 2020
	Ensure that labor inspectors and criminal investigators receive training on child labor.	2011 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspections are conducted throughout the country and in all sectors.	2011 – 2020
	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 – 2020
	Ensure that the labor inspectorate conducts inspections in private businesses and the informal sector.	2014 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors and criminal investigators are available and receive resources, including equipment and transportation, to enforce criminal child labor laws.	2012 – 2020
	Establish a referral mechanism between criminal authorities and social services.	2020
	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, not arrested, detained, or subjected to mistreatment or torture.	2014 – 2020
	Ensure that children are not recruited into armed groups or government-affiliated military entities, including by ending the falsification of identity documents.	2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates, including by ensuring that detailed enforcement data are reported to appropriate coordination bodies and that meetings are held at the mandated intervals.	2017 – 2020
Government Policies	Implement the National Labor Policy and the National Strategy for Children at Risk.	2016 – 2020
Social Programs	Institute a birth registration campaign so that age is documented and children can register for school.	2015 – 2020
	Institute programs to increase access to education and improve security in schools (especially for girls).	2014 – 2020
	Institute programs to address child labor in all relevant sectors, such as agriculture and bonded child labor in brick kilns.	2009 – 2020
	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 – 2020
	Build capacity for the government to have sufficient Child Protection Unit (CPU) reporting channels to identify children, prevent them from joining the security forces, and provide shelter, services, and family reintegration.	2020

### REFERENCES ON FILE



In 2020, Albania made a moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Ministry of Justice launched the Integrated System of Data on Justice for Children, which will allow parties throughout the national justice system to coordinate on cases related to children in conflict with the law, including child labor. The government also adopted a new National Cybersecurity Plan to address the online exploitation of children, and the State Agency for the Protections and Rights of Children engaged extensively with private sector stakeholders to raise awareness of child labor and promote coordination with local government authorities. However, children in Albania are subjected to the worst forms of child labor, including in forced begging, criminal activity, and commercial sexual exploitation, each sometimes as a result of human trafficking. Children in Albania are also subjected to mining, including of chromium. The law does not explicitly prohibit using, procuring, or offering children for illicit activities. In addition, the labor inspectorate lacks resources to conduct inspections in all sectors in which child labor is known to occur.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Albania are subjected to the worst forms of child labor, including in forced begging, criminal activity, and commercial sexual exploitation, each sometimes as a result of human trafficking. Children in Albania are also subjected to mining, including of chromium. (1-4) Table 1 provides key indicators on children's work and education in Albania.

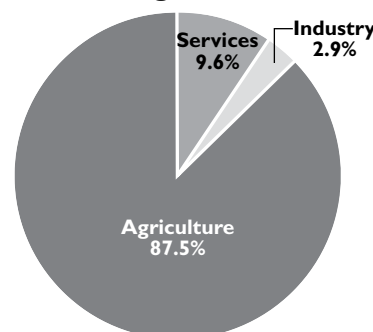
**Table 1. Statistics on Children's Work and Education**

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 (%)		103.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (NCLS), 2010. (1)

**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 (2,6)
Industry	Mining,† including chromium (2,7-14)
	Construction, activities unknown (1,15)
	Working in the textile, garment, and footwear sectors (6,8,16-19)
	Processing fish (17)
Services	Begging (8,16,17,20-22)
	Street work, including vending, washing vehicles, busking, and shining shoes (8,21-24)
	Collecting recyclable materials on the street and in landfills (4,8,21,22)
	Working in wholesale and retail trade (1,16)
	Working in hotels and restaurants (1,8)
	Working in call centers (8,15)

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**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 burglary, drug trafficking, and harvesting and processing cannabis (3,4,6,14,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (6,8,12,14,17,20,21,25)
	Forced begging, sometimes as a result of human trafficking (6,8,14,17,20,21,23-25)

† 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.







Some Roma and Balkan Egyptian children engaged in street begging or the collection of recyclables to contribute to family income. (2,26) Children are also subjected to trafficking, both domestic and abroad to EU countries, for commercial sexual exploitation and forced labor. (2) In addition, some children informally scavenge chromium around hazardous mines where debris from mine tunnels is found, and they sometimes carry these heavy rocks for miles. (2,10,11) Internal child trafficking and forced begging have continued in recent years, particularly during the tourist season. (27) Albania lacks recent, comprehensive data on child labor, including in the agriculture and construction sectors.

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. (2,4) Roma and Balkan Egyptian children also experienced discrimination in schools and were placed in separate classrooms and faced other hurdles to accessing education, such as a lack of access to reliable transportation. (2,6,28,29) In addition, some migrant and refugee children from Syria, Algeria, and Libya faced difficulties accessing education due to language barriers. (2) Children with disabilities also continue to experience discrimination and other hurdles to accessing inclusive education. (2,30) Children not in school are more vulnerable to the worst forms of child labor.

## 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 lack of prohibitions for 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 (28,29)
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 (28,29)
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 (28,30-32)
Prohibition of Forced Labor	Yes		Article 8 of the Code of Labor; Article 124/b of the Criminal Code (28,33)
Prohibition of Child Trafficking	Yes		Article 128/b of the Criminal Code (33)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 114, 117, and 128/b of the Criminal Code; Article 26 of the Law for the Protection of the Rights of the Child (29,33)
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 (29,33)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Law on Military Service (34)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 9 of the Law on Military Service (34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 28 of the Law for the Protection of the Rights of the Child (29)
Compulsory Education Age	Yes	16	Article 22 of the Law on Pre-University Education System (35)
Free Public Education	Yes		Article 57 of the Constitution of the Republic of Albania; Article 5 of the Law on Pre-University Education System (35,36)

\* No conscription (34)

In June 2020, Decision of the Council of Ministers no. 479 (DCM no. 479) was passed, which provided labor inspectors with a more comprehensive guide to identify and address child labor violations. More specifically, DCM no. 479 updated language throughout the Labor Code and its 2017 addendum to reflect the roles of the Ministry of Health and Social Protection, which subsumed the former Ministry of Social Welfare and Youth and continues to jointly regulate the protection of youth at work in conjunction with labor and criminal law enforcement agencies. (4,32,37)

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. (33) The law also does not criminally prohibit the use of children for prostitution. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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**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 monitors the quality of social services provided by the State Inspectorate for Labor and Social Services. Receives, documents, and responds to child labor complaints through the State Social Services Agency. (2) Child Protection Units (CPUs) are the responsible agencies at the local level and identify at-risk children, conduct initial evaluations of each case at the municipal level, and refer children to appropriate social services. (2,38) The number of CPUs increased from 237 in 2019 to 240 in 2020. (2,4)
Ministry of Interior	Enforces all laws, including laws related to the worst forms of child labor through protection officers. (8,16) Coordinates operations of the Border Police as well as each of the Illicit Human Trafficking sections in the country's 12 Regional Police Directorates through the General Directorate of State Police. (2,6) Establishes the government's policy on combating human trafficking through the State Committee Against Trafficking in Persons, chaired by the Interior Minister. (39)
Office of the Prosecutor General	Investigates and prosecutes child trafficking cases through the Serious Crimes Prosecution Office. (2) In 2020, the Prosecutor General's Office received a budget of \$21 million, primarily for operational expenditures. (4) The Development Center of Criminal Justice for Minors produced three documents during the reporting period, providing guidance on the rights of children in conflict with the law, the rights of children who were victims of crimes (including trafficking in persons), and standard operating procedures for judicial police and prosecutors when dealing with cases involving minors. (40)

During the reporting period, the Ministry of Health and Social Protection issued Ministerial Instruction no. 253 in April 2020, ensuring that protective services for at-risk children were continued for the duration of the COVID-19 pandemic.

### Labor Law Enforcement

In 2020, 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 financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,766,831 (2)	\$1,800,000 (4)
Number of Labor Inspectors	118 (2)	118 (4)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (28)
Initial Training for New Labor Inspectors	Yes (2)	Yes (4)
Training on New Laws Related to Child Labor	Yes (2)	Yes (4)
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Labor Inspections Conducted	11,036 (2)	5,772 (4)
Number Conducted at Worksite	11,036 (2)	5,772 (4)
Number of Child Labor Violations Found	115 (2)	119 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	22 (2)	24 (4)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	0 (4)
Routine Inspections Conducted	Yes (2)	Yes (4)
Routine Inspections Targeted	Yes (2)	Yes (4)
Unannounced Inspections Permitted	Yes (2)	Yes (28)
Unannounced Inspections Conducted	Yes (2)	Yes (4)
Complaint Mechanism Exists	Yes (2)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (4)

During the reporting period, 12 local branches of the State Inspectorate for Labor and Social Services (SILSS) completed inspections in multiple sectors, including mining and manufacturing, both identified as sectors in which children work. During the summer, inspections increased in tourist areas to account for the high number of

children working in the hospitality industry. (4) Concerns from the general public regarding suspected child labor abuses may be registered with SILSS on paper, through e-mail, and by telephone. (4) The SILSS can inspect all registered private entities but cannot inspect private homes, private farms, or unregistered businesses. (2,4,6)

In 2020, all inspectors received training on the identification and referral of economically exploited children, including children living and working on the streets. (2,41) The SILSS noted that its 2020 budget was inadequate to cover the cost of vehicles for labor inspections. (4,15,41) In addition, according to the SILSS, the number of labor inspectors was insufficient, given that only 6 percent of workplaces were inspected in 2020. (4)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (2)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	Yes (4)
Refresher Courses Provided	Yes (2)	Yes (4)
Number of Investigations	26 (2)	84 (4)
Number of Violations Found	22 (2)	7 (4)
Number of Prosecutions Initiated	19 (2)	30 (4)
Number of Convictions	9 (2)	7 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Yes (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (4)

During the reporting period, police officers from the Illicit Trafficking Police, State Police, and Border Police received trainings from the Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC) on properly identifying potential victims of human trafficking. ONAC also conducted five sessions in cooperation with OSCE to facilitate discussions between local police authorities and child protection officials in Korçë, Elbasan, Shkoder, Bulqize, and Vlore. (4) During the reporting period, the Ministry of Justice launched the Integrated System of Data on Justice for Children, which will allow law enforcement professionals to more easily cooperate with colleagues throughout the justice system, including courts, the Probation Service, the General Directorate of Prisons, and the State Police. (4)

If a child is subjected to trafficking 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. (2) The case may also be referred to local Child Protection Units, which can then connect the child to social services. (6,38,42)

## **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 among agencies.

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**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. (16,17) Manages cases of at-risk children and refers them to appropriate social services. Sanctions those who fail to protect children from violence and exploitation. (38) Coordinates local and central structures on health, security, and education of children. (6) During the reporting period, the State Agency for the Protections and Rights of Children provided trainings on protecting children from economic exploitation for child protection workers, community mediators, social service staff, and members of the cross-sectorial technical groups. The Agency also engaged with private sector stakeholders, including representatives from the mining industry, to raise awareness of child labor and promote proper communication with local government entities. (4)
Office of the National Coordinator for the Fight Against Trafficking in Human Beings (ONAC)	Collaborates with regional counterparts to adopt standard protocols to guide anti-trafficking efforts. Oversees 12 regional anti-human trafficking committees that carry out local action plans in cooperation with civil society partners. (17) Chairs the National Referral Mechanism, which coordinates the identification, protection, referral, and rehabilitation of trafficking victims between government and civil society organizations. Leads data collection and report writing for the National Database for Human Trafficking Victims/Potential Victims. (4,17) Runs the Closed Case Task Force with the Serious Crimes Prosecution Office and Albanian State Police. (23) In 2020, the State Police and NGOs identified 43 children as victims of trafficking or potential victims of trafficking. (4) In addition, ONAC organized multiple trainings for 120 employees across 6 regions of Albania on child labor and forced labor concepts, complaint filing, and victim referral. (4)
Ad-Hoc Cross-Sectorial Technical Groups (CTGs)	Address child protection cases in municipalities with more than 3,000 children. CTGs include representatives from multiple sectors including the police, social services, education, health, justice, and NGOs. (6) Decision of the Council of Ministers no. 353 defines the roles and responsibilities of CTGs in terms of promoting coordination among local-level actors. (6,43) In 2020, CTGs participated in multiple trainings organized by the State Agency for the Rights and Protections of Children. (4)

Coordination among the SILSS and the Albanian State Police has traditionally been sporadic. (4,12,45)

## 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 Protection of Children from Economic Exploitation (2019–2021)	Approved by the National Council for Child Protection in October 2019 and overseen by the State Agency for the Protection and the Rights of Children. (2,4) Guarantees the rights and protection of economically exploited children, including children in street situations. Aims to prevent the use of children for profit and enhances services and enforcement of legislation. (2,6) Defines the responsibilities of institutions involved in child protection, including children working in mining, in street situations, and in other situations that violate the law. (2) During the reporting period, the State Agency for the Protection and the Rights of Children drafted maps identifying geographic areas where children are at the greatest risk of economic exploitation. (4)
National Action Plan for Combating Trafficking in Persons (2018–2020)	Ensured the identification of and referral for the protection of child victims and potential victims of human trafficking in accordance with standard operating procedures. (6,46) Increased the use of CPUs, police, and border control personnel to identify victims, including children involved in street work. Raised public awareness of all forms of human trafficking, including for forced labor. (6,46,47) In 2020, the government continued to implement actions to promote the return and reintegration of juvenile and adult victims while also reducing the risk of being re-victimized. (4)
The Albanian National Agenda for Children's Rights (2017–2020)	Aimed to protect and promote children's rights by supporting physical and psychosocial development, and the social inclusion of children. Objectives included improving children's access to services and enhancing legal and institutional mechanisms for child protection. (8,48) Goals included 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. (8,23) In September 2020, the Minister of Health and Social Protection signed Order No. 519 to establish the interagency working group for drafting the National Agenda for Children's Rights 2021–2025. (4)



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

Policy	Description
National Action Plan for the Social-Economic Reintegration of Women and Girl Victims of Trafficking (2018–2020)	Aimed to increase resources available to female victims of human trafficking and attempted to reintegrate them and prevent future re-victimization by providing education and social services. (49) Part of the Strategy for Combating Trafficking in Persons Action Plan. (17) During the reporting period, efforts primarily focused on protection of shelter residents from the pandemic, in part through the provision of personal protective equipment and other resources to shelters. (50)
National Action Plan for Roma and Balkan Egyptian Community Reintegration (2016–2020)	Aimed 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. (41,51,52) During the reporting period, the municipalities of Pogradec, Vlorë, Elbasan, and Korçë drafted Action Plans for the Integration of Roma and Egyptian Minorities. Services provided during the reporting period included civil registration, medical reimbursements, employment and vocational training, transportation, and provision of educational and daycare services. (50)
National Cybersecurity Strategy (2020–2025)†	Approved in December 2020, this multi-year strategy seeks to address the protection of children from online abuse and exploitation. Includes the establishment of a Technical Advisory Committee for Child Safety Online, within the National Council for Child Rights and Protection. (4,53,54)

† 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. (6,47,55)

In 2020, Albania maintained its status as a Pathfinder Country under Alliance 8.7. This involves accelerating commitments toward achieving SDG Target 8.7, which calls for the eradication of forced labor, modern slavery, human trafficking, and child labor by 2025. (56)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (57) During the reporting period, the Ministry of Education, Sports, and Youth collaborated with UNICEF to procure services from online educational platform Akademi.al to support all pre-university system students during the pandemic. (50)
Human Trafficking Shelters	The National Shelter Coalition† comprises one state-run and three NGO-run shelters for potential victims of trafficking. (2,4,27) During the reporting period, 131 children were referred to the shelters. (4)
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. (6) During the reporting period, the National Emergency Transition Center provided services to 37 families. (50)
Child Allowance Program (Ndhima Ekonomike)†	\$46 million government-funded cash transfer program that provides an allowance for families receiving economic aid through the Law on Social Assistance and Services. (6) During the reporting period, the 63,510 eligible families under this program (including those with children at high risk for labor exploitation) received double their usual monthly benefit amount for 6 months after WHO's pandemic declaration in March 2020. (58)
Government-Run Hotlines†	Include the Hotline for Potential Victims of Trafficking (operated by the State Police Directorate's Command Center) and the Albanian National Child Helpline and Helpline for Missing Children, established to assist children through phone counseling and case referrals to institutions providing services to children. (4,27) During the reporting period, 5,363 children were beneficiaries of online and phone counseling and referral services provided by the Helplines. (50)
World Vision Albania Centers (Children's City Program)†	The municipalities of Durrës, Maliq, and Korçë collaborated with World Vision Albania to construct centers for children in high-risk situations, including violence, abuse, and various forms of exploitation. During the reporting period, the Children's City project assisted 5,144 children by providing intellectual, physical, and social development, and enhanced protection services. (4,59)

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

Program	Description
UNICEF Albania Projects†	During the reporting period, UNICEF piloted a humanitarian cash transfer program to support 1,700 families in the municipalities of Shkodra, Korçë, and Durrës. UNICEF also collaborated with the Ministry of Education, Sports, and Youth to provide internet- and television-based lessons to children around the country, benefitting 25,000 students who were impacted by school closures related to the COVID-19 pandemic. (4,60) UNICEF and the OSCE presence in Albania also led the project "Transforming National Response to Human Trafficking In and From Albania," funded by the Government of the United Kingdom, which runs through 2021 and focuses on research and strategic communications, continued capacity-building of law enforcement and criminal justice professionals, and reintegration of victims and potential victims of trafficking through employment assistance and other engagement with the formal labor market. (4,61,62)

\* Program was approved during the reporting period.

† 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. (47,63)

During the reporting period, police occasionally referred street children or unaccompanied minors to human trafficking shelters and contacted their parents. (4) Research indicates that there is a lack of shelters for street children who are not victims of human trafficking, although some state- and NGO-run services were available for children who were forced to beg. (4) Research also found no evidence that programs were carried out to assist children scavenging chromium, but efforts were made during the reporting period to engage with private sector stakeholders to raise awareness of issues around child labor in the mining industry. (2,4,64) A lack of financial and human resources and issues of decentralization of social funds from the central government to municipalities were also cited as gaps in the efficient implementation of social programs. (6,41,47,64)

## 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 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 – 2020
	Ensure that the use of children in prostitution is criminally prohibited.	2019 – 2020
Enforcement	Ensure that labor inspectors can inspect the informal sector in which child labor is known to occur, including private homes, private farms, or unregistered businesses.	2010 – 2020
	Ensure that the labor inspectorate has sufficient resources, including vehicles, to enforce child labor laws.	2019 – 2020
Coordination	Ensure proper coordination between the State Inspectorate for Labor and Social Services and the Albanian State Police.	2019 – 2020
Government Policies	Ensure that the government implements national policies related to child labor, including its worst forms.	2019 – 2020
Social Programs	Conduct research to further identify children's activities in agriculture and construction to inform policies and programs.	2013 – 2020
	Provide adequate transportation for Roma and Balkan Egyptian children who live in communities far from schools.	2011 – 2020
	Ensure that barriers to education, including discrimination against both children with disabilities and Roma and Balkan Egyptian children without formal birth registration paperwork, are removed.	2013 – 2020
	Provide language translation for migrant and refugee children to facilitate school access.	2018 – 2020
	Increase the number of shelters for victims of the worst forms of child labor, and in particular, for children living and working on the streets.	2017 – 2020
	Institute programs to assist children who are victims of human trafficking and those who are used in scavenging chromium.	2014 – 2020
	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 – 2020

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In 2020, Algeria made moderate advancement in efforts to eliminate the worst forms of child labor. The government increased its number of labor inspectors from 645 in 2019 to 885 in 2020 and implemented a new strategy to address forced child begging by conducting periodic visits to transportation hubs and storage facilities. In an effort to address the challenge of enforcing labor laws in the informal economy, the government also led an initiative with an Algerian think tank to explore ways to reach children involved in informal work. However, children in Algeria are subjected to 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 tasks in street vending. 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.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Algeria are subjected to 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 tasks in street vending. (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 (%)		105.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

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

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

Evidence suggests that children, primarily unaccompanied Sub-Saharan migrants, are subjected to commercial sexual exploitation and forced domestic work. (1,8,12,13) Evidence also suggests that children’s work is often part-time and informal in nature, with some migrant children working in small-scale family-run businesses such as

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restaurants or small stores. Children also work in informal street markets in street vending and begging, exposing them to dangerous and hazardous conditions. (8,9,14-17) Research could not find a current and comprehensive study on the activities and scope of the child labor situation in Algeria, particularly in light of the COVID-19 pandemic. The pandemic also had an impact on the increasing number of children and migrants working in the agricultural sector and family-run stores in rural settings; however, in urban environments, the economic downturn associated with the onset of the pandemic decreased employment, including child labor. (17)

Child begging also continued during the reporting period, prompting governmental efforts to dismantle begging networks in the country. More than 6,000 children have allegedly been forced to join begging networks. (17) Evidence suggests that the majority of begging networks use migrant children from Africa. (17)

Research also found that girls were trafficked from West Africa for sexual exploitation. However, the government did not provide data that disaggregated figures pertaining to sexual abuse and those related to commercial sexual exploitation of children, which is considered one of the worst forms of child labor. (17)

According to the Directorate General for National Security (DGSN), there were 485 cases of children being used in illegal activities. (17)

The Algerian public education system is free and open to all children between the ages of 6 and 16, regardless of ethnicity and nationality. However, despite access to universal education, attendance problems persist at schools in the southern regions of Algeria, with children as young as 13 or 14 dropping out of school. (17)







Non-Algerian children must provide documentation of grade level or sit for testing to determine their level. (8,9,17,18) 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 by school administrators and reported to authorities. (8,17) In addition, the language of instruction (Arabic) is not necessarily understood by migrants, whose native languages are likely to be different, making effective schooling a challenging prospect. (17) Some migrant families may also not be familiar with Algerian law granting free education to all children. (17)

Many children with disabilities do not have access to 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. Barriers to education, including those placed on migrant children and children with disabilities, result in absence from school and increased vulnerability to child labor. (8,13,15,18)

## 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 comprehensive hazardous work list for children and prohibitions related to 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	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 (19,20)
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 (19,20)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Article 303 <i>bis</i> 4 of the Penal Code (21)
Prohibition of Child Trafficking	Yes		Articles 303 <i>bis</i> 4 and 319 of the Penal Code (21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 319, 333 <i>bis</i> 1, 343, and 344 of the Penal Code (21)
Prohibition of Using Children in Illicit Activities	No		Article 195 <i>bis</i> of the Penal Code (21)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 14 of Presidential Decree No. 08-134 on the National People's Army (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 3 of Law No. 14-06 on National Service (23)
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 (24)
Free Public Education	Yes		Article 13 of Law No. 08-04 on National Education (24)

The Labor Code prohibits anyone under the age of 19 from working at night and anyone under the age of 18 from performing work that is harmful to their health, safety, or morals. (19) Algeria has not determined by national law or regulation the types of work that are hazardous for children, and research did not determine whether the government commission tasked with proposing a list of hazardous professions continued to work on this issue in 2020. (16) Furthermore, research uncovered no additional information on efforts to revise the Labor Code during the reporting period. (1,2,8,19,25) 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. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**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; issues citations noting violations of labor laws; and refers violations to the Ministry of Justice. (2, 18) Supervises the application of laws and regulations related to labor relations, working conditions, and worker safety. (7) Shares child labor reports with the Ministry of National Solidarity, Family, and the Condition of Women to ensure follow up with social services. (7)
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. (17,26)
The National Council for Human Rights (CNDH)	Housed under the authority of the President. Investigates human rights violations, including those pertaining to labor. (17) These investigations may result in the initiation of legal proceedings. (17)
Ministry of National Solidarity, Family, and the Condition of Women	Provides social services to children and families. Also conducts investigations, as directed by the Ministry of Justice, into issues related to children and families. (16)
Ministry of the Interior and Local Assemblies	The Ministry of the Interior and local assemblies enforce criminal laws related to child trafficking through the DGSN in urban areas, which comprises 8 active brigades of 77 specialized police officers focused on illegal immigration and human trafficking, and 50 Brigades for the Protection of Minors, including 300 police officers specializing in the protection of children. The Ministry of the Interior maintains a hotline to report child abuse and missing children, and may conduct investigations on child labor violations, as directed by the Ministry of Justice. (7,10,14-16,27)
Ministry of National Defense	Enforces criminal laws pertaining to child labor, including child trafficking, in rural and border regions through the National Gendarmerie. As directed by the Ministry of Justice, may conduct investigations on child labor violations. (15) Works with DGSN and the NGO Algerian Network for the Defense of Children's Rights to administer hotlines for the reporting of child abuse; also receives training on child labor. (15) Maintains a website where individuals can file complaints. (15)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Algeria took actions to combat child labor (Table 6). However, gaps exist within the operations of The Ministry of Labor, Employment, and Social Security (MTESS) that may hinder adequate labor law enforcement, including the lack of authority to inspect informal workplaces for child labor.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$15,300,000 (15)	Unknown (26)
Number of Labor Inspectors	645 (15)	885 (26)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (26)
Initial Training for New Labor Inspectors	Yes (15)	No (26)
Training on New Laws Related to Child Labor	N/A (15)	N/A (26)
Refresher Courses Provided	Yes (15)	Yes (26)
Number of Labor Inspections Conducted	124,698 (15)	116,701 (26)
Number Conducted at Worksite	Unknown (15)	109,113 (26)
Number of Child Labor Violations Found	Unknown (15)	14 (26)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown (26)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (15)	Unknown (26)
Routine Inspections Conducted	Yes (15)	Yes (26)
Routine Inspections Targeted	Yes (15)	Yes (26)
Unannounced Inspections Permitted	Yes (15)	Yes (26)
Unannounced Inspections Conducted	Yes (15)	Yes (26)
Complaint Mechanism Exists	Yes (15)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (17)

The government did not provide information on labor inspectorate funding for inclusion in this report. While the labor inspectorate is authorized to conduct inspections in all workplaces, inspectors do not investigate unmarked workplaces, such as houses or informal construction sites. (17,28) However, it is suspected that child labor exists

within the construction sector, agriculture sector, cafe businesses, and informal street markets. (17) Due to the pandemic, the Minister of Labor announced during the reporting period that the Labor Department did not have the sufficient resources to carry out its regularly scheduled duties. (17)

The Government of Algeria does recognize the need to address issues in the informal economy, and has begun to monitor the informal economy more closely. As part of these efforts, the government has worked with the Algerian think tank, Center for Research in Applied Economics for Development, to learn more about the informal economy. (17) The government has also requested the ILO's assistance in transitioning informal businesses to become more transparent within a legal framework. (17) Additionally, on October 3, the Minister of the Interior announced a new strategy to track begging networks at checkpoints with periodic visits to transportation hubs and storage facilities. (17)

The labor inspectorate is empowered to conduct unannounced inspections and issue penalties. If child labor law violations are found, the children are removed from their worksites and placed in the schooling system. (17)

The number of labor inspectors is seemingly sufficient for the size of Algeria's workforce, which includes more than 10.85 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, it would be recommended that Algeria employ 723 inspectors, and there are currently 885 inspectors in the country. (29)

### **Criminal Law Enforcement**

In 2020, 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (15)	No (26)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	N/A (26)
Refresher Courses Provided	Yes (15)	Yes (26)
Number of Investigations	23 (15)	Unknown (26)
Number of Violations Found	Unknown (15)	5,669 (26)
Number of Prosecutions Initiated	32‡ (15)	Unknown (26)
Number of Convictions	27‡ (15)	Unknown (26)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (15)	Unknown (26)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (26)

‡ Data are from January 1, 2019 to June 30, 2019.

Although the government reported conducting investigations and achieving convictions in cases related to human trafficking, it did not provide information on whether these cases involved child victims. In addition, the government did not provide for inclusion in this report specific information on its criminal law enforcement efforts in regards to other worst forms of child labor, including the number of investigations, prosecutions, convictions, and penalties imposed. (26)

Despite these limitations, the government took meaningful steps in terms of trainings. For example, 27 judges who specialize in juvenile cases received training in March from the National Authority for the Protection and Promotion of Children (ONPPE) and International Organization for Penal Reform. (26) ONPPE carried out a training on at-risk children that same month at the Judicial Police Academy of the National Gendarmerie. ONPPE also organized a seminar on international and national mechanisms against child labor at the Graduate School of the National Gendarmerie in November of the reporting period. (26)



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### 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 advocates 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, and oversees efforts of the National Commission for the Prevention of and Fight Against Child Labor. (1,7,8,27,30,31) Runs a national hotline and website to field questions and complaints about the mistreatment of children. (17) In 2020, the Authority continued to run the hotline and website, and held trainings for government officials and members of the Algerian media on the protection and promotion of children’s rights. (17)
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 MTESS; and other government entities. (7,30,32,33) During the reporting period, the Committee worked to raise awareness on human trafficking as it relates to children. (17) Committee members also participated in an online seminar on the pandemic’s impact on human trafficking, which was organized by the UNODC and the League of Arab States. (34) In July 2020, under the auspices of the Ministry of Foreign Affairs and the UNODC, the Committee organized a workshop titled “No to the Exploitation of Persons.” (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 the lack of a policy specifically dedicated to addressing the worst forms of child labor.

**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, strengthening legislation, prosecuting human trafficking crimes, improving the provision of protective services to victims, and increasing collaboration with national and international NGOs. (17,35) Research could not determine specific activities carried out under this policy during the reporting period.

The Algerian government does not have a national action plan to address the worst forms of child labor. However, the government’s 2019–2021 National Action Plan for the Prevention of and Fight Against Trafficking in Persons dedicates specialized attention to child victims of trafficking, which could include those trafficked for labor. (17)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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†	Campaign carried out through the ONPPE and other government agencies that makes various efforts to raise awareness about child labor throughout the year. The Ministry of Solidarity also has a communication plan for each of the country’s 48 <i>wilayas</i> (governates) on child-related messaging. (17)
Children Assistance Facilities‡	Facilities operated by the government to provide support for children, namely orphans and children in dangerous situations who are taken into custody by the state. In 2020, these centers continued to operate. (17)

† 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. (9,15,30)

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. The government did not provide information on the activities of existing social programs in 2020 for inclusion in this report. (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 Algeria (Table II).

**Table II. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws increase penalties for, or categorize as a separate crime, the involvement of children in all illicit activities, including using, procuring, and offering children for the production and trafficking of drugs.	2013 – 2020
	Determine the types of hazardous work prohibited for children under age 18, in consultation with employers' and workers' organizations.	2009 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Publish information on the labor law enforcement of child labor laws, including labor inspectorate funding, number of child labor violations for which penalties were imposed, and penalties collected.	2009 – 2020
	Ensure that new labor inspectors and criminal investigators receive initial training.	2020
	Publish information on the criminal enforcement of child labor laws including the number of investigations, prosecutions, convictions, and penalties imposed for crimes related to the worst forms of child labor.	2020
Government Policies	Adopt a national policy that includes all relevant worst forms of child labor, such as commercial sexual exploitation, forced begging, and street work.	2015 – 2020
	Publish activities undertaken to implement the National Action Plan for the Prevention of and Fight Against Trafficking in Persons during the reporting period.	2020
Social Programs	Research and publish detailed information on children involved in child labor, or at risk of being involved; specify these activities, including those carried out in construction work, and publish information to inform policies.	2014 – 2020
	Ensure that social programs address the increasing number of migrant children involved in rural family-run businesses and agricultural work, as well as subjected to forced begging.	2020
	Expand existing programs to address the scope of the child labor problem, including the commercial sexual exploitation of children, street work, and forced begging.	2016 – 2020
	Publish disaggregated figures on the commercial sexual exploitation of children in order to fully assess its scope and tailor social programs accordingly.	2020
	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 – 2020
	Take measures to remove barriers to education for migrant children and children with disabilities, including: language barriers, lack of specialized training, transportation and accessibility of school buildings.	2015 – 2020
	Expand social programs to address school dropout rates in the southern region of the country.	2020
	Publish information on the activities of existing social programs as they relate to the worst forms of child labor.	2020

## MODERATE ADVANCEMENT

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In 2020, Angola made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved a consolidation of existing legislation related to child labor, including hazardous labor and child trafficking, which was incorporated into the Penal Code. In addition, the government increased the number of labor inspectors in the country by over 140 inspectors and conducted an intensive campaign to increase birth registration and the issuance of identification cards, resulting in the registration of 1,098,694 Angolans. However, children in Angola are subjected to 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. Prohibitions against the commercial sexual exploitation of children do not meet international standards because they do 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. Moreover, a coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor does not exist outside the scope of human trafficking, and social programs do not target all sectors in which children work.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Angola are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-5) Children also perform dangerous tasks in construction. (1,2,5) 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. (6) 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 (1,246,354)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	13.6
Primary Completion Rate (%)		46.2

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization’s analysis of statistics from Demographic and Health Survey (DHS), 2015–2016. (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 plowing, harvesting, and picking fruits and vegetables, and the production of rice (1,9-11)
	Fishing, including artisanal fishing, and cleaning fish for deep freezing or sun drying (1,12,13)
	Cattle herding (1,2)
	Production of charcoal (14)
Industry	Artisanal diamond mining (2,15)
	Mining coal (1)
	Construction, including making and transporting bricks† (1,9)
	Animal slaughterhouses,† including cattle, goats, and pigs (16)

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

Sector/Industry	Activity
Services	Street work, including vending, car washing, shoe shining, and transporting heavy loads† (1,9-11)
	Domestic work (1,2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5)
	Forced labor, including in agriculture, construction, artisanal diamond mining, and domestic work, each sometimes as a result of human trafficking (2,10)
	Use in illicit activities, including for 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.

In 2020, reports indicate that the number of children under age 12 found begging in the streets, or being forced into criminal activity in major cities increased, presumably due the COVID-19 pandemic, which exacerbated the unemployment rate and increased food insecurity throughout the country. (17)

Undocumented Congolese migrant children enter Angola for work in diamond-mining districts, and some are subjected to forced labor or commercial sexual exploitation in mining camps. (2) Girls as young as age 12 are subjected to human trafficking 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) Reports also indicate that some adults force children younger than age 12 to commit crimes because children cannot be criminally prosecuted. (18)







Education is free up to the ninth grade; however, families often face difficulty in paying informal school fees, such as for textbooks or bribes required by some education officials for new admissions or passing grades. (1,19) Additional barriers to education for children include lack of classrooms and teachers, and poor infrastructure. (20-22) Furthermore, refugee children face difficulties in continuing their education beyond age 11 since their status is directly connected to their parents' refugee card, which is not accepted by secondary schools. Currently, a mechanism to apply for identity documentation does not exist; however, reports indicate that the government is making efforts to address the issue and ensure that refugee children are not hindered from continuing their education. (1)

Although children are only permitted to attend school up to the sixth grade without a birth certificate, the government has conducted programs throughout all 18 provinces and over a million citizens were able to obtain their birth certificates for the first time during the reporting period. (23,24)

## 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 the prohibition of the commercial sexual exploitation of children.

**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 (25)
Minimum Age for Hazardous Work	Yes	18	Articles 3(21) and 256 of the Labor Law (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 256 of the Labor Law; Hazardous Work List (25,26)
Prohibition of Forced Labor	Yes		Articles 18, 19, and 23 of the Money Laundering Law (27)
Prohibition of Child Trafficking	Yes		Articles 19 and 23 of the Money Laundering Law (27)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 19, 22, and 23 of the Money Laundering Law; Articles 195–198 of the Penal Code (27,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 4 and 7 of the Drug Trafficking Law (29)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of the Military Service Law (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (30)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	14	Articles 12, 27, and 31 of the Basic Law of the Education System (31)
Free Public Education	Yes		Article 11 of the Basic Law of the Education System (31)

In November 2020, the government approved a consolidation of existing legislation related to child labor, including hazardous labor, child trafficking, and the commercial sexual exploitation of children, within the Penal Code to significantly raise awareness of these laws to prosecutors, enforcement agencies, and government entities who may not have been previously aware of their existence. (1,28,32)

Although the Penal Code criminalizes the use of children for the production of pornography, it does not meet international standards because 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. (28) Although the list of hazardous activities and occupations identifies 57 activities prohibited for children, the legislation does not include diamond mining, a sector in which there is evidence of work conducted underground. (2,15,26)

### 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 enforcement agencies 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, through the Criminal Investigations Services, for further investigation, and to the Ministry of Justice and Human Rights for prosecution. (15) Employs labor inspectors in all 18 provinces to carry out inspections and joint operations with social services providers. (33)
National Children's Institute (INAC)	Receives complaints about cases of child exploitation, including child labor. Conducts inspections and responds to reports of child labor. (34)

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## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Ministry of Interior's National Police	Enforces criminal laws, and conducts operations and investigations related to the worst forms of child labor. (15) Through its Criminal Investigation Services, collaborates with the Juvenile Court on child labor, child trafficking, commercial sexual exploitation, and illicit recruitment investigations. (35)
Ministry of Justice and Human Rights	Investigates and prosecutes cases of the worst forms of child labor. (15)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Angola took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Public Administration, Labor, and Social Security (MAPTESS) that may hinder adequate labor law enforcement, including the allocation of financial and human resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$210,000 (15)	Unknown
Number of Labor Inspectors	132 (15)	273 (1)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (36)
Initial Training for New Labor Inspectors	Yes (15)	Yes (1)
Training on New Laws Related to Child Labor	Yes (15)	N/A
Refresher Courses Provided	Yes (15)	Yes (1)
Number of Labor Inspections Conducted	5,461 (15)	Unknown
Number Conducted at Worksite	4,935 (15)	Unknown
Number of Child Labor Violations Found	11 (15)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (15)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (15)	Unknown
Routine Inspections Conducted	Yes (15)	Yes (1)
Routine Inspections Targeted	Yes (15)	Yes (1)
Unannounced Inspections Permitted	Yes (15)	Yes (36)
Unannounced Inspections Conducted	Yes (15)	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

Although the number of labor inspectors increased significantly by over 140 inspectors during the reporting period, the reported number remains 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. (1,37,38) Moreover, MAPTESS indicated that the budget allocated for labor inspection activities was insufficient to conduct inspections in sectors in which child labor is known to occur. (1)

The government did not provide comprehensive data on labor law enforcement efforts for inclusion in this report.

Inspectors from MAPTESS work with the National Children's Institute (INAC) and the Ministry of Social Action, Family, and the Advancement of Women (MASFAMU) to ensure that child labor victims receive the appropriate social services. (15)

### Criminal Law Enforcement

In 2020, 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 insufficient training for criminal investigators.



**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (15)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	Unknown
Refresher Courses Provided	Yes (15)	Yes (1)
Number of Investigations	10 (18)	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	Yes (18)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (1)

In 2020, the government conducted 9 human trafficking trainings, in collaboration with NGO partners, attended by 661 participants. Several other human trafficking trainings were also conducted during the reporting period, including for front-line police officers and NGO trainers. (17) The government also conducted a workshop on the National Reference Mechanism for the Protection and Assistance of Victims of Human Trafficking. (17)

During the reporting period, five officers from the National Police and the Protection Unit of Protocol Individualities, a specialized police unit, were tried and convicted on charges of child trafficking. The case addresses crimes committed as far back as 2015, including at least six minors trafficked to France and Italy, via Lisbon and Dubai. (17) Moreover, testimony heard during the trial prompted further investigations into the potential involvement of employees from civil registration offices and from the Migration and Foreigners Service, who allegedly issued fraudulent birth certificates and passports listing falsified parent information to facilitate these crimes. The Ministry of Justice reported that criminal investigations and arrest warrants are in process against these additional officials. (17) In Cabinda Province, a human trafficking case on trial resulted in a sentence of 8 years and 7 months to 3 defendants from the Democratic Republic of the Congo. The case included eight female victims from the Democratic Republic of the Congo, two of whom were minors, ages 14 and 16. (39)

Although the government did not publicly release comprehensive data on its criminal law enforcement efforts during the reporting period, reports indicate one new investigation related to sex trafficking, though it is unknown whether any children were involved. In addition, one suspected case of trafficking for forced labor involving children in Zaire Province is in trial, while two others continue under investigation. (17)

Angola's provinces have standard operating procedures that are used to inform INAC and MASFAMU officials whenever victims of the worst forms of child labor are identified. In 2020, the government implemented these operating procedures and distributed manuals, adapted for law enforcement personnel and civil society groups, addressing topics such as procedures on interviewing potential victims, how to screen vulnerable groups, assess risk, refer victims to protection services, and best practices for care of victims. (17)

INAC and MASFAMU use a network of 114 counseling and housing shelters to support victims and provide them with social services. (18) Child trafficking victims are also referred to the Ministry of Assistance and Social Reintegration shelters before a determination is made regarding their reintegration with their families or guardians. (1)

Although training for criminal investigators is an ongoing process for new and established employees, reports indicate that the training is insufficient, particularly for investigators located outside the capital and in remote areas across the country. (15)

#### 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.

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**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. (15) Met five times during the reporting period and gave a lecture to 74 participants at a government-established educational youth center, <i>Casa da Juventude</i> . (17) The Commission also delivered lectures to 78 participants, in collaboration with an NGO, on the topic of combating human trafficking and asylum law. (17)
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 Advancement of Women (MASFAMU). (40,41) Research was unable to determine whether the National Council for Social Action was active during the reporting period.
MASFAMU	Ensures coordination among various government agencies related to social welfare and victim protection. Oversees a national network of support centers established for the protection of children, offering health care, psychological care, legal and social assistance, meals, basic education, and family reunification for victims of crime, including victims of human trafficking. (15) In 2020, conducted several lectures on human trafficking given to 75 participants from the Registry and Notary Services Division, and 44 social workers and health care workers. (17)
INAC	Coordinates child protective services. Works with MASFAMU to provide shelter and helps with family reintegration for children found in child labor situations. (15) In 2020, conducted several public awareness trainings and distributed thousands of brochures to schools, children’s shelters, and bus stations. (17)

Reports indicate that coordinating mechanisms planned several activities to be implemented during the reporting period, however, restrictions related to the pandemic considerably reduced capacity for these measures to be carried out. (1)

Despite the existence of the Commission to Combat Trafficking in Persons, the government faces challenges aggregating and synthesizing data on human trafficking cases. (42) In addition, research shows that there is no specific coordinating mechanism dedicated solely to addressing issues related to the worst forms of child labor that are 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 Eradicate Child Labor (2018–2022)	Aims to eliminate child labor by strengthening the rights of children, 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. (43) The plan to integrate several ministries into one team to deliver a holistic response, as well as several other planned activities, were postponed due to the pandemic. (1)
National Action Plan on Preventing and Combating Trafficking in Persons (2020–2025)	Outlines Angola’s strategy to address human trafficking, including domestic human trafficking. The 5 year plan, with the option of extension, commits to specific activities designed to improve the prevention, protection and assistance, and prosecution components involved in combating human trafficking. (44) In 2020, although many government offices operated on a reduced schedule with reduced staff, the Ministry of Justice and Human Rights reported they were able to accomplish an estimated 70 percent of the planned events scheduled in relation to the National Action Plan on Preventing and Combating Trafficking in Persons. (17)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (22)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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, offering meals, shelter, basic education, and family reunification services to victims of crime, including child trafficking victims. MASFAMU and the Organization of Angolan Women operate 52 children's shelters that assist victims of child trafficking. (15) Active in 2020. (1)
Birth Registration and Justice for Children†	Government-run program making birth registration free for all Angolan citizens. (45) In 2020, the government conducted an intensive campaign on birth registration and identification cards, which resulted in 1,098,694 Angolans obtaining these documents for the first time. (24)
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. (15) Supports some mobile schools with kitchens, facilitating the free school meals program. (15) In 2020, due to the pandemic, meals were served to a limited number of schools; however, the Minister of Education announced the continuation of the program in 2021 with a focus on locally sourced products. (39)
Strengthening Capacity of the Government of Angola*	USDOS-funded, \$580,000, 2 year project implemented by IOM to strengthen Angola's response to address human trafficking, including the formalization of victim identification, referrals using standardized screening, risk assessment, and assistance tools to be used across all provinces. The project will also fund the upgrade of four shelters for victims and an awareness raising campaign regarding the risks of irregular migration. (17)

† Program is funded by the Government of Angola.

\* Program was launched during the reporting period.

In July 2020, INAC and the Integrated Center for Public Safety launched the "15015 SOS Child" hotline service to receive complaints of violence against children, including child trafficking and child labor. During the first 4 months of operation, the hotline received over 75,804 complaints compared to the 1,427 complaints registered with INAC between the months of January–May 2020. (17)

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 subjected to 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 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 – 2020
	Ensure that the law prohibits hazardous occupations or activities for children in all relevant sectors in Angola, including diamond mining.	2011 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Publish information regarding labor inspectorate funding, the number of labor inspections conducted, the number of labor inspections conducted at worksites, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected.	2011 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Ensure that the Ministry of Public Administration, Labor, and Social Security receives adequate resources to conduct inspections in sectors in which child labor is known to occur.	2019 – 2020
	Increase training for criminal investigators, including training of investigators outside the capital and in remote areas across Angola.	2019 – 2020
	Publish information regarding the number of investigations conducted, violations found, prosecutions initiated, convictions achieved, and penalties imposed for violations related to the worst forms of child labor. In addition, ensure inspectors receive training on new laws related to child labor, such as the Penal Code, and receive refresher courses.	2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor, including those that occur outside the context of human trafficking.	2016 – 2020
	Increase the capacity to aggregate and synthesize data on human trafficking cases.	2018 – 2020
	Ensure that activities postponed due to the COVID-19 pandemic are re-established when it is safe to do so.	2020
Government Policies	Ensure that the National Action Plan to Eradicate Child Labor is implemented.	2018 – 2020
Social Programs	Institute programs that target children subjected to commercial sexual exploitation and forced labor, and expand existing programs to address the scope of the child labor problem.	2010 – 2020
	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 – 2020
	Ensure that refugee children are not hindered from continuing their education beyond age 11 by providing a working mechanism whereby identification documents can be obtained.	2020

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Although research found no evidence that child labor exists in Anguilla, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. The law does not prohibit the involvement of children in illicit activities, including the production and trafficking of drugs. In addition, the minimum ages for work and hazardous work do not meet international standards, and Anguilla lacks a list of prohibited hazardous occupations and activities for children.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Anguilla. (1) Table I provides one key indicator on children's education in Anguilla. Data on key indicators on children's work are not available from the sources used in this report. (2)

**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Primary Completion Rate (%)		95.6







Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (2)

All other data were unavailable from International Labor Organization's analysis, 2021. (3)

### 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. (4) Domestic UK law does not generally apply unless explicitly extended to Anguilla. Under Article 35 (4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. (4) If the Convention is accepted, it is considered applicable to that territory. The following Conventions have been extended to and accepted by Anguilla (Table 2). (4)

**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 Anguilla has established laws and regulations related to child labor (Table 3). 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.

## NO ADVANCEMENT

**Table 3. 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 (5,6)
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 (5,6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 6 of the Employment of Women, Young Persons and Children Act (5)
Prohibition of Forced Labor	Yes		Article 242 of the Criminal Code; Chapter 1, Section 4 of the Constitution Order (7,8)
Prohibition of Child Trafficking	Yes		Article 242 of the Criminal Code (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 242 of the Criminal Code (7)
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 (9)
Free Public Education	Yes		Article 106 of the Education Act (9)

\* No conscription (10)

† No standing military (10)

The minimum age of 12 for work does not meet international standards. The minimum age of 14 for hazardous work also does not meet international standards as it applies only to industrial undertakings, transportation of passengers or goods by roads or rail, and work on ships. (5,6) Anguilla lacks a list of prohibited hazardous occupations and activities for children. 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. (5) In addition, Anguilla does not prohibit the use of children in illicit activities, including in the production and trafficking of drugs. (7, 11, 12) 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. (6,9)

### 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. However, Anguilla has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 4).

**Table 4. 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. (6)
Department of Social Development of the Ministry of Social Development	Safeguards the well-being of children and investigates reports of child abuse. (13)
Royal Anguilla Police Force	Investigates child protection cases. (13,14)

### 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 Anguilla has established a mechanism to coordinate its efforts to address child labor (Table 5).

**Table 5. Key Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Ministry of Social Development	Implements child protection efforts and ensures that Anguilla complies with the UN Convention on the Rights of the Child. (13)

### 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 Safeguarding National Action Plan, Safeguarding and Child Protection Protocols and Procedures, and an Inter-Agency Child Protection Protocol. (13,15,16) Research was unable to determine whether activities were undertaken to implement Anguilla's key policies related to child labor 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. However, the Government of Anguilla has established the Safeguarding Children in Anguilla Project, which may contribute to the prevention of child labor. (13,17) Research was unable to determine whether activities were undertaken to implement Anguilla's social programs related to child labor during the reporting period.

### 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 6).

**Table 6. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify international conventions on child labor.	2020
	Ensure that the law establishes age 15 as the minimum age for work in all sectors.	2016 – 2020
	Establish age 18 as the minimum age for all hazardous work.	2011 – 2020
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in drug trafficking and production.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020



## NO ADVANCEMENT

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<http://data.uis.unesco.org/>
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- 4 U.S. Embassy- London. Reporting. January 24, 2017.
- 5 Government of Anguilla. Employment of Women, Young Persons and Children Act. Enacted: December 15, 2000.  
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- 7 Government of Anguilla. Anguilla Criminal Code, E55. Enacted: December 15, 2014.  
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- 13 Government of Anguilla, Ministry of Health and Social Development. Safeguarding Children in Anguilla: A Policy Guideline. 2015.  
<http://www.gov.ai/documents/SafeguardingChildrenInAnguilla.pdf>
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- 16 Government of Anguilla. Interagency Child Protection Protocol. 2019.  
<http://www.gov.ai/documents/msd/Interagency Child Protection Protocol ICPP UPDATED 2019.pdf>
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<http://theanguillian.com/2016/09/unicef-anguilla-document-to-look-at-young-children/>

In 2020, Argentina made significant advancement in efforts to eliminate the worst forms of child labor. The Buenos Aires Ministry of Labor issued a regulation to close a loophole that enabled companies to exploit underage workers through sub-contracting arrangements. Whereas the government previously did not actively investigate the use of children in illicit activities, during the reporting period gang members were convicted and sentenced for using children to sell drugs. The Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work was also elevated to directorate level within the Ministry of Labor, granting it more resources and responsibilities. In addition, Argentina renewed key policies aimed at addressing the worst forms of child labor, including its biannual plan against human trafficking. Finally, the government provided additional assistance to vulnerable families during the COVID-19 pandemic through its largest social program benefiting children at risk of child labor. However, children in Argentina are subjected to 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 transport, sale, and distribution of drugs. Children also engage in dangerous tasks in agriculture. Moreover, the government does not publish complete information about its labor law enforcement efforts and the labor inspectorate remains understaffed to adequately address child labor issues in the country.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Argentina are subjected to 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 transport, sale, and distribution of drugs. (1-4) Children also engage in dangerous tasks in agriculture. (3) Table I provides key indicators on children's work and education in Argentina. 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	5.3 (371,771)
Attending School (%)	5 to 14	98.9
Combining Work and School (%)	7 to 14	6.2
Primary Completion Rate (%)		98.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de actividades de niñas, niños y adolescentes (EANNA), 2016–2017. (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† blueberries, carrots, cotton, garlic, grapes, olives, onions, potatoes, strawberries, and tomatoes (3,7-13)
	Harvesting† yerba mate (stimulant plant) and tobacco (7,13-19)
Industry	Production of garments (1,20)
	Production of bricks and wooden crates (1,3,7,21-25)
	Construction,† activities unknown (7,23)
Services	Street begging† and performing,† windshield washing,† handing out flyers or promotional materials, and guarding parked cars (7,13,26)
	Refuse collection, recycling, and garbage scavenging† (3,7,10,27,28)
	Caregiving,† including caring for other children, the elderly, or infirmed people (7)

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

Sector/Industry	Activity
Services	Working and cooking in food service (7)
	Domestic work, including cleaning, doing laundry, and ironing (7,27)
	Yard work, including cutting lawns and pruning trees (7)
	Selling produce in grocery stores (13)
Categorical Worst Forms of Child Labor†‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (4,7)
	Forced labor in the production of garments, charcoal, and bricks (4,13,29)
	Use in illicit activities, including transporting, selling and distributing drugs (2,7,30,31)
	Forced labor in domestic work (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.

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. (1,3,32) Reports also indicate that Paraguayan children are victims of human trafficking for the purpose of commercial sexual exploitation in Argentina. (1,33,34) Limited reporting also indicates that sex traffickers exploit minors participating in domestic youth sports clubs. (4,29) Children from primarily the northern provinces and from Bolivia, Paraguay, Peru, and other countries are used in forced labor in numerous sectors, including garment production, agriculture, street vending, charcoal and brick production, domestic work, and in small businesses. (3,4,25,29,35)







Misiones—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. Children as young as age 5 help their parents harvest yerba mate, sometimes carrying heavy loads. (19) In Salta and Jujuy, children harvest tobacco. (17,36)

Due to the COVID-19 pandemic, the transition to virtual instruction limited access to education for socio-economically disadvantaged children who did not have Internet connectivity, possibly increasing vulnerability to child labor. (13)

## 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 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	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; Article 189 of the Employment Contract Law (37-41)
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 (39-41)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Executive Decree 1117/2016 on Dangerous Work (42)
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 (37,43,44)
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 (37,44)
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 (44-46)
Prohibition of Using Children in Illicit Activities	Yes		Article 11 of the Possession and Trafficking of Drugs Law (47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 8 of the Voluntary Military Service Law (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 19 of the Voluntary Military Service Law (48)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 10 of Law No. 26.200 (49)
Compulsory Education Age	Yes	18	Articles 16 and 29 of the National Education Law; Article 2 of the Law on Early Education (50-52)
Free Public Education	Yes		Articles 15–16 of the Child and Adolescent Rights Protection Law (37)

\* No conscription (53)

During the reporting period, the Buenos Aires province Ministry of Labor issued a regulation to restrict children between the ages of 14 and 16 from working in family enterprises unless they are working directly under the authority of their parent or guardian. The regulation aims to address a loophole that enabled franchises or contractors to indirectly utilize and exploit child labor. (54,55)

Although the former Secretariat of Labor worked with the ILO in 2018 to update Argentina's list of hazardous work, the Argentine Government did not formally adopt or promulgate the proposed updates in 2020. (1,3) The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (41-44,56)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MLES)	Carries out labor law enforcement efforts in coordination with provincial-level labor authorities in each of Argentina's 23 provinces and the City of Buenos Aires. (57) Enforces child labor laws in part through its Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work (COODITIA) and collaborates with the National Registry of Rural Workers and Employers (RENATRE) in enforcing child labor laws in the agricultural sector. (13) In addition, maintains a national hotline through which labor violations can be reported and leads the Network of Businesses Against Child Labor ( <i>Red de Empresas contra el Trabajo Infantil</i> ), a network of companies promoting best practices in the private sector to combat child labor. Labor inspectors are tasked with enforcing laws related to child labor as part of MLES's broader enforcement strategy, the National Plan for the Regularization of Labor ( <i>Plan Nacional de Regularización del Trabajo</i> [PNRT]). (13) A specific line of action in the PNRT is to detect and eradicate child labor and irregular adolescent work, so the standard operating procedure for inspections includes efforts to detect child labor violations. (13)
Ministry of Justice and Human Rights	Manages Line 145, the anonymous national hotline that allows the public to report suspected human trafficking cases. Through its Office of Rescue and Attention to Victims of Trafficking ( <i>Oficina de Programa de Rescate</i> ), provides emergency legal and other assistance to victims of labor and sex trafficking, including child victims. (13,56,58) 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. (13,34,59)
Public Prosecutor's Office	Through its Special Prosecutor's Office for Human Trafficking and Exploitation, detects, investigates, and prosecutes cases of human trafficking and labor exploitation. (60)
Federal and National Immigration Police	The Federal Police conduct human trafficking investigations through the Trafficking in Persons Division. (13,61) The National Immigration Police, directed by the National Immigration Directorate, oversee the rights of migrants and assist in investigating cases of transnational human trafficking. (13)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Argentina took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment, and Social Security (MLES) 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	2019	2020
Labor Inspectorate Funding	Unknown (3)	Unknown (13)
Number of Labor Inspectors	315 (3)	324 (13)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (63)
Initial Training for New Labor Inspectors	Yes (3)	Yes (13)
Training on New Laws Related to Child Labor	Yes (3)	N/A
Refresher Courses Provided	Yes (3)	Yes (13)
Number of Labor Inspections Conducted	141,422 (3)	19,034 (13)
Number Conducted at Worksite	141,422 (3)	19,034 (13)
Number of Child Labor Violations Found	13 (3)	16 (13)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (13)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (13)
Routine Inspections Conducted	Yes (3)	Yes (13)
Routine Inspections Targeted	Yes (3)	Yes (13)
Unannounced Inspections Permitted	Yes (3)	Yes (63)
Unannounced Inspections Conducted	Yes (3)	Yes (13)
Complaint Mechanism Exists	Yes (3)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (13)

Due to the pandemic, the government imposed movement restrictions that impacted the labor inspectorate's ability to carry out labor inspections. Furthermore, unlike previous years in which total number of inspections conducted by both the national and provincial governments was reported, in 2020, the government provided only the number of child labor inspections carried out by the Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work. (13,64)

In 2020, the National Registry of Rural Workers and Employers (RENATRE) conducted targeted inspections to verify compliance with safety protocols established in response to the pandemic. During these operations, inspectors discovered at least 15 children harvesting onions in Santiago del Estero province. (65) Inspectors found that the children were working in extreme heat with no water or bathroom facilities for a period of 8 to 18 hours a day. (65-67) In similar inspections conducted in the province of Mendoza, 16 cases of child labor or children working without adequate protections were discovered in the agriculture, ranching, and forestry industries. (68) In response to these cases, RENATRE activated its Action Protocol for Child Labor in the Rural Sector. (66,68) Meanwhile, MLES inspectors reported discovering child labor in the wood industries in Corrientes province and one case of a child working in a sweatshop in Buenos Aires. (13)

While Argentina slightly increased its number of labor inspectors in 2020, the number is still 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 would employ about 1,200 labor inspectors. (69) 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 that the number is insufficient. (3,70) Moreover, the government does not publish labor enforcement data on the labor inspectorate budget or the total number of child labor penalties imposed or collected. (13,70)

MLES requires inspectors to refer victims of child labor to the Provincial Commission for the Eradication of Child Labor for social services assistance and its inspection protocol mandates that federal labor inspectors notify the relevant provincial child protection authorities after detecting a child labor violation. (3,70) Labor inspectors are also required to file a criminal complaint with the provincial courts of the relevant jurisdiction for any child labor violation detected. (3,70) MLES reported that its labor inspectors cooperated with law enforcement authorities in criminal matters resulting from the criminal complaints that inspectors filed after finding child labor violations. (3)

### **Criminal Law Enforcement**

In 2020, 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 allocating human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (13)
Refresher Courses Provided	Yes (3)	Yes (13)
Number of Investigations	Unknown (3)	19 (13)
Number of Violations Found	29 (3)	12 (13,64)
Number of Prosecutions Initiated	Unknown (3)	9 (13)
Number of Convictions	5 (3)	5 (13)
Imposed Penalties for Violations Related to The Worst Forms of Child Labor	Yes (3)	Yes (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (13)

During the reporting period, the Special Prosecutor's Office for Human Trafficking and Exploitation initiated prosecution of three labor trafficking cases and six cases of commercial sexual exploitation of children. The government secured one conviction for a case of labor trafficking involving two minors from Corrientes province, and upheld convictions in two separate cases of commercial sexual exploitation of children that included eight minor victims from Tucuman province. (13) The government also overturned an acquittal of a sex trafficker convicted for the commercial sexual exploitation of a child. (13) In July 2020, five gang members were convicted in Entre Rios Province for using two children, ages 12 and 14, to sell drugs. The suspects were sentenced to between 3 and 6 years in prison. (13)

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Argentine law enforcement authorities report a lack of funding and resources. (13) Research has 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. (71)

### 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 Eradication of Child Labor (CONAETI)	Housed in MLES, Employment, and Social Security, coordinates national efforts to monitor and eliminate child labor and implement the Third National Action Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work. (72-74) Led by the Secretariat of Promotion, Protection, and Technological Change and comprises 16 government agencies, representatives from UNICEF, ILO, industry associations, and labor unions. (3) The commission met virtually and regularly during the reporting period, with meetings focusing on addressing challenges during the pandemic that could exacerbate vulnerabilities to child labor. CONAETI also conducted various child labor trainings throughout the reporting period. (75-78) During the reporting period, the committee also unveiled its National Program to Strengthen COPRETI (Provincial Committees for the Prevention and Eradication of Child Labor) in an effort to improve coordination between the provincial and national governments. (13)
Coordination of Child Labor Eradication and Adolescent Work Protection Policies (MLES)	Housed in MLES, executes the policies established in the Third National Action Plan for the Prevention and Eradication of Child Labor and the Regulation of Adolescent Work. (3) In 2020, the coordinating unit developed a new virtual training course focusing specifically on the impact that the pandemic could have on child labor. (79)
Coordinating Body for the Prevention of Child Labor and Regulation of Adolescent Work (COODITIA)	Housed in MLES, 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 provincial inspectors. (70,80) As part of a restructuring within MLES in 2020, COODITIA was elevated to Directorate rank within the ministry, granting it more resources and responsibilities. (13) The new directorate now has responsibilities that include conducting child labor inspections, verifying adolescent work, and monitoring for labor exploitation such as child trafficking. (64) COODITIA took part in inspection operations in Buenos Aires province during the reporting period that resulted in the discovery of two different instances of child labor. (81)
Provincial Committees for the Prevention and Eradication of Child Labor (COPRETI)	Created under a cooperative agreement between MLES and the Federal Work Council, coordinate activities implemented at a provincial level. There are currently 23 provincial committees in operation. (82) The committees coordinate between government, business, union, and civil society stakeholders within their respective provinces to implement actions to combat child labor at a local level. (83) The committees remained active during the reporting period and carried out a variety of activities. For example, the committee in Buenos Aires province launched a new strategic plan to combat child labor called " <i>Cuidado. Sin Trabajo Infantil</i> ," while the committee in Tres Arroyos launched a training course for provincial stakeholders on child labor and public policy. (13,84,85)
Executive Committee for the Fight Against Trafficking and Exploitation of People and the Protection and Assistance of Victims	National coordinating body on government anti-trafficking in persons policies comprising the Ministry of Justice and Human Rights; the Ministry of Security; the Ministry of Social Development; the Ministry of Women, Gender, and Diversity; and MLES. (29) Drafted and published the new biennial national action plan against human trafficking in December 2020, titled "100 Actions Against Trafficking." (29)

Research indicates that coordination to provide services to child victims of commercial sexual exploitation is ineffective, obstructing full implementation of some programs, and causing some programs' objectives and target groups to overlap. (87) During one of its virtual meetings in 2020, the National Commission for the Eradication of Child Labor acknowledged that, in addition to addressing the challenges of the pandemic, one of the central areas of concern for the committee was the need to strengthen cooperation between national- and provincial-level governments. (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 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, 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. (7,88-90) In 2020, RENATRE launched a new initiative as part of the national plan to train agricultural extension agents in identifying and responding to cases of child labor. (91)
National Action Plan to Improve the Safety and Health at Work of Adolescents and Youth (2020–2022)	Adopted in 2019, aims to coordinate the following actions: (1) improve statistics and research; (2) promote compliance and inspections; (3) encourage the incorporation of occupational safety and health in education and vocational training; and (4) develop networks and awareness and promotion activities. (92,93) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Strategic Framework for Cooperation Between Argentina and the UN System for Development (2021–2025)†	Relaunched in 2020, establishes development priorities for Argentina as agreed upon by the government and the agencies comprising the UN System for Development in Argentina. Envisions a cooperative strategy to transition Argentina out of the informal economy, including through the eradication of child labor and forced labor. (94)
Inter-Agency Agreement for Prevention of Child Labor and Protection of the Adolescent Worker	Collaborative agreement between MLES and the Ministry of Education to integrate child labor prevention and protection of adolescent workers in curricula and teacher training courses. (7,95) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Biennial National Plan Against Human Trafficking and Exploitation, and for Protection and Assistance of Victims (TIP Action Plan 2020–2022)†	Approved 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 incorporates an institutional goal of fortifying inter-agency coordination, including by establishing a unified database on human trafficking victims. The Federal Council coordinates the plan's implementation and includes NGO representation in its meetings. (1) In 2020, the Department of Justice approved a new biannual version of the plan, which contains 100 specific actions within a framework of 4 strategic themes: prevention, assistance, prosecution, and capacity building. (13,29,96-98) Under the previous plan, MLES released in 2020 a working guide intended to assist labor inspectors in identifying and responding to cases of human trafficking and labor exploitation. (29,99)

† 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. (100)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (7,101) Through presidential decree, in 2020 the government issued revised criteria for the program, removing some restrictions such as the number of children per family eligible for the benefit. (102) In March 2020, in response to the pandemic, the government issued an additional economic payment to participant families in the amount of \$32 (3,000 Argentine pesos) per child. (103,104)
RENATRE Awareness-Raising Campaigns†	RENATRE campaigns that raise awareness of child labor in agriculture and inform families and children of the right to education. (105) RENATRE was part of an awareness campaign in 2020 along with other government organizations and representatives of the blueberry industry to warn of the increased risks of child labor as a result of the pandemic. (106)
Good Harvest Program	Through Rural Social Educational Centers and in cooperation with provincial and municipal governments, unions, and civil society, provides services to children up to age 16 from migrant and rural families involved in seasonal harvests. (107) Research was unable to determine whether activities were undertaken to implement the Good Harvest Program during the reporting period.



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

Program	Description
National Campaign Against Child Labor in Brickmaking†	Developed in 2017 by MLES and the Argentine Brick Workers Union (UOLRA). (108) Aims to develop policies that improve labor inspections in this sector and to better support brick workers so their children do not have to work. (108,109) UOLRA launched its sixth campaign in October 2020, highlighting cooperative agreements established with the Buenos Aires Ministry of Labor and announcing it was working to establish Care Centers across the country for the children of brickmaking families. (110)
USDOL-Funded Projects	<u>Project to Promote Workplace-Based Training for Vulnerable Youth in Argentina (Noemi Project) (2016–2021)</u> , \$3 million project implemented by <i>Centro de Desarrollo y Autogestión (DyA)</i> ; "P.A.R. Project": <u>Multi-Stakeholder Strategy for Child Labor Elimination in Agriculture in Argentina (2019–2021)</u> , \$2.5 million project implemented by DyA ; "Offside Project": <u>Improving the Capacity of Labor and Agriculture Stakeholders to Address Child Labor in Agricultural Areas of Argentina Project</u> , \$2.5 million project implemented by ILO; <u>Measurement, Awareness-Raising, and Policy Engagement (MAP16)</u> , \$215,000 global project implemented by ILO; <u>Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks</u> , \$3.3 million multi-country project; <u>Attaining Lasting Change (ATLAS)</u> , \$8 million global program implemented by Winrock International; and <u>Evidence to Action: Increasing the Impact of Research to Mobilize Efforts against Forced Labor</u> , \$3 million project implemented by the ILO. (111-117) Additional information is available on the USDOL website.

† Program is funded by the Government of Argentina.

Research has identified the need for the government to increase funding for shelters and assistance to girl victims of human trafficking and commercial sexual exploitation. (70) Research found no evidence of social programs that specifically target children engaged in street begging and performing, windshield washing, and guarding parked cars, despite the prevalence of these activities that are designated as hazardous for 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 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 – 2020
Enforcement	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2015 – 2020
	Publish information on the labor inspectorate budget, the number of child labor violations identified for which penalties were imposed, and the number of child labor penalties imposed that were collected.	2015 – 2020
	Strengthen the capacity of Argentina's judiciary and police to investigate trafficking and commercial sexual exploitation cases.	2019 – 2020
Coordination	Improve government coordination, particularly between national and local government entities, in the provision of services to victims of all forms of child labor, including for children subjected to commercial sexual exploitation.	2017 – 2020
Government Policies	Publish information on activities taken under key policies to address child labor, forced labor, and human trafficking.	2018 – 2020
Social Programs	Publish information on activities taken under social programs to address child labor, forced labor, and human trafficking.	2019 – 2020
	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, and increase funding for shelters and assistance for girl victims of human trafficking.	2018 – 2020
	Increase funding for shelters and assistance to girl victims of human trafficking and commercial sexual exploitation.	2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2020, Armenia made minimal advancement in efforts to eliminate the worst forms of child labor. Beginning in April 2020, the Health and Labor Inspection Body took on some inspection responsibilities in response to the COVID-19 pandemic, including enforcing quarantine provisions and ensuring worker safety and health. The government's National Action Plan Against Trafficking in Persons also went into effect in June, and implementation in several areas began immediately. In addition, the government adopted a new referral mechanism to provide assistance to minor victims of trafficking in persons. However, despite new initiatives to address child labor, Armenia 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. Although some labor inspections resumed in 2020, labor inspectors still lack the authority to conduct unannounced inspections. Children in Armenia are subjected to 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, and no government programs exist to aid them.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Armenia are subjected to 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 agriculture. (2,4,5) Table 1 provides key indicators on children's work and education in Armenia.

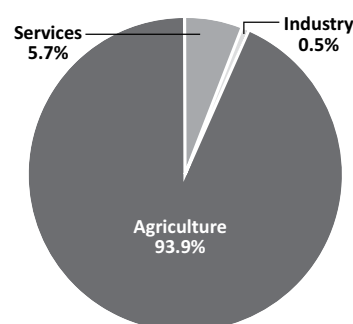
**Table 1. Statistics on Children's Work and Education**

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 (%)		93.1

Source for primary completion rate: Data from 2019 published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (SIMPOC), 2015. (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 planting and harvesting potatoes (8,9)
	Raising livestock, including cattle breeding, cattle herding, and shepherding (4)
Industry	Construction, activities unknown (4,9)
Services	Vehicle maintenance (4,9)
	Selling food (1,4)
	Street work, including vending, gathering scrap metal, selling flowers, and begging (9)
	Working in shops (4)

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## 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 (2,3,10)
	Forced begging, sometimes as a result of human trafficking (1,10)

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

The Government of Armenia does not routinely collect or maintain official data on child labor. (11) Reports indicate that significant numbers of children, including some below the age of 14, leave school to work in the informal sectors in agriculture and construction, and increasing numbers of children are engaged in begging. (5,12) In February 2021, the government adopted procedures for identifying children who have dropped out of compulsory education, and created an institutional response mechanism to prevent child trafficking and child labor, as children outside of the education system are a high-risk population for exploitation. (13) However, there is no enforcement of the mandatory school attendance requirement, nor are there programs to identify, assess, and address the reasons for truancy or dropping out. (14)

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. (15-17) 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. (18) Reports also indicate that in rural areas, families may keep girls out of school because of cultural expectations or concerns about severe gender imbalance in classrooms. (5,19)







The Law on Education requires all schools to be inclusive for children with disabilities by 2025, and the 2017–2021 National Strategy for Child Rights Protection includes priority actions to ensure equitable and inclusive education. (17,20,21) However, NGOs report that children with disabilities still face difficulty accessing mainstream education due to inaccessible school buildings and a lack of special education teachers and other specialists, especially for students with mental disabilities. (21,22)

The government has reduced institutionalization of children in recent years; however, nearly 2,400 children remain in government boarding schools, orphanages, and special education institutions. (23,24) These children are more likely to experience physical and psychological violence and are at a higher risk of becoming victims of human trafficking. (10,23) 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	✓

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

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 a lack of definitions for forced labor and light work.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Articles 15 and 17 of the Labor Code; Article 57 of the Constitution; Article 41.6 of the Administrative Violations Code (15,27,28)
Minimum Age for Hazardous Work	Yes	18	Article 257 of the Labor Code (27)
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 (27,29)
Prohibition of Forced Labor	Yes		Article 57 of the Constitution; Article 3 of the Labor Code; Article 132 of the Criminal Code (15,27,30)
Prohibition of Child Trafficking	Yes		Article 132 of the Criminal Code (30)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 132, 166, and 261–263 of the Criminal Code (30)
Prohibition of Using Children in Illicit Activities	Yes		Articles 63, 165, and 166 of the Criminal Code (30)
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 (31-33)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 11 of the Law on Conscription (32)
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 (30,34)
Compulsory Education Age	Yes	19	Article 18 of the Law on Education (17)
Free Public Education	Yes		Article 38 of the Constitution; Article 6 of the Law on Education (15,17)

‡ Age calculated based on available information (33)

In 2020, the Ministry of Labor and Social Affairs (MLSA) submitted for approval a concept paper to revise the Labor Code to define “forced labor.” However, the changes were not approved during the reporting period. (1,35) In addition, the labor inspectorate received preliminary approval for a legislative change that would allow unannounced inspections. (35) In September, Armenia finalized the ratification of the Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, which requires criminalization of all forms of sexual offences against children. (1)

The Labor Code allows children ages 14 and 15 to work restricted hours with the permission of a parent or guardian, but does not identify 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 failure of Armenian law to define “forced labor.” (15,27,30,36)

The minimum age law does not meet international standards because labor legislation does not apply to children working in the informal sector, including those who are self-employed. (27,28) In addition, the laws criminalizing commercial sexual exploitation of children are insufficient because they do not explicitly criminalize the users (clients) of commercial sex involving children. (30,37)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Affairs (MLSA)	Oversees child welfare issues and pursues enforcement of labor laws. Works to identify vulnerable populations, such as laborers in animal husbandry, children who are outside of the education system, and those attending schools for students with disabilities and behavioral issues. (35)
Health and Labor Inspection Body (HLIB)	Enforces labor laws in areas related to sanitary-epidemiological safety, health care and services, and pharmaceuticals. Responds to labor complaints through administrative proceedings. (1,9,38) Publishes an annual report on activities undertaken the previous year and plans for the upcoming year. (1,39) Operates a complaint hotline and online platform to which individuals can submit complaints. (1)
General Department of Criminal Police	Enforce laws against the worst forms of child labor and refer identified crimes to the Investigative Committee for further investigation. (1,40) Enforce anti-human trafficking laws and conduct preliminary investigations of alleged trafficking in persons cases. Every regional police unit throughout the country has a designated officer whose portfolio includes human trafficking. (40) All cases suspected to be human trafficking are referred to the anti-trafficking unit within the National Police's Department to Fight against Crimes against Human Beings and Property. (40,41) Through the 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. (42) Operates a hotline to receive complaints related to human trafficking and migration issues. (40,43,44)
Department for the Investigation of Trafficking in Persons, Crimes against the Sexual Inviolability of Minors and Illegal Drug Trafficking Crimes within the Investigative Committee	Conducts in-depth investigations of all cases of human trafficking and the commercial sexual exploitation of children referred to the Investigative Committee by the police. (40,41)

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. (45) 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 bargaining agreements. (46) In 2015, subsequent changes to legislation regulating labor inspections left the State Health Inspectorate unable to conduct labor inspections. (36,47) In 2017, continued inspection reform led to the dissolution of the State Health Inspectorate and the creation of the Health Inspection Body, which was tasked with monitoring occupational safety and health standards for employees, along with monitoring a variety of public health standards. (48) In 2018, a law on the State Bodies of Governance Systems came into force that changed the Health Inspection Body to the Health and Labor Inspection Body (HLIB). (49)

In 2019, Article 33 of the Labor Code was amended to empower HLIB to issue penalties for violations and to conduct inspections in sectors for which inspection checklists have been approved. (50) Although this amendment was not scheduled to enter into force until July 2021, HLIB was granted emergency authority to perform some additional duties beginning in April 2020 due to the COVID-19 pandemic; as a result, HLIB had a leading role in enforcing quarantine provisions to ensure worker safety and health during the reporting period. (1,51) HLIB exercised oversight over all four areas under its control: epidemiological safety; health care and services; pharmaceuticals; and labor law, including enforcing child labor laws for the first time since HLIB's authority over labor issues was reinstated in 2019. (1) In October 2020, additional changes to the bylaws regulating the work of HLIB went into effect that granted it responsibility for upholding labor rights and worker health and safety. HLIB widely publicized its new responsibilities, emphasizing in particular its new authority to examine labor violations in response to written complaints. (1)

During the reporting period, HLIB was empowered to launch administrative procedures in response to complaints, including child labor complaints. HLIB is also authorized to issue penalties for any administrative violations they uncover and to refer cases to criminal law enforcement when appropriate. (52) When performing routine inspections, HLIB must inform employers of an upcoming inspection 3 business days in advance, and legislation limits the questions inspectors can ask to a legally predetermined checklist of issues. (40,53,54) However, HLIB has broader authority when responding to a complaint. In these instances, HLIB may issue notification to the employer via e-mail and immediately conduct a site visit. (52) In addition, inspectors

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

responding to a complaint are not restricted to a predetermined checklist. (52) Although 25 new checklists were approved during 2020, checklists, including questions related to child labor, have not yet been approved for all industries. (1,40,53) Due to the ongoing restrictions on routine inspections, HLIB's ability to enforce child labor laws was insufficient in 2020. However, HLIB engaged in other activities to combat child labor, including posting videos on social media and conducting awareness-raising activities and regional training sessions on labor issues. (52)

In 2020, MLSA planned training sessions for regional professionals on the new Referral Mechanism for Minor Victims of Trafficking in Persons, proactive victim identification, and victim assistance. Scheduled trainings were postponed due to the pandemic. (35)

### Labor Law Enforcement

In 2020, the lack of authorization to conduct unannounced inspections 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	2019	2020
Labor Inspectorate Funding	Unknown	\$2.1 million (1)
Number of Labor Inspectors	23 (40,55)	28 (1)
Inspectorate Authorized to Assess Penalties	Yes (40)	Yes (1)
Initial Training for New Labor Inspectors	Yes (14)	Yes (14)
Training on New Laws Related to Child Labor	No (55)	No (1)
Refresher Courses Provided	No (55)	No (1)
Number of Labor Inspections Conducted	0 (40,55)	119 (1)
Number Conducted at Worksite	0 (40)	119 (1)
Number of Child Labor Violations Found	2 (55)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (40)	1 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (40)	1 (1)
Routine Inspections Conducted	No (40)	Yes (1)
Routine Inspections Targeted	No (40)	Yes (1)
Unannounced Inspections Permitted	No (40,55)	No (27)
Unannounced Inspections Conducted	No (40)	No (1)
Complaint Mechanism Exists	Yes (40)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Yes (1,35)

In 2020, HLIB had 28 labor inspectors. (1) The number of labor inspectors is likely insufficient for the size of Armenia's workforce, which includes around 1.3 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 65 labor inspectors. (56,57) HLIB has reported that it plans to hire a number of new employees, including increasing the number of inspectors to 80, by July 2021 to implement the expanded inspection mandate that will come into force at that time. (1,40,50) The government has also approved an increase of HLIB's budget to \$2.7 million in 2021 and the allocation of a new building to HLIB. In addition, three of HLIB's regional centers in Ijevan, Sisian, and Vanadzor were moved to government-owned buildings to ensure better working conditions. (1) The government also provided HLIB with new equipment, including furniture, computers, and vehicles to assist in fulfilling its mandate. (1)

In February 2020, 30 HLIB employees took part in a week-long ILO training. The training focused on risk assessment and capacity building in anticipation of HLIB's expanded duties in 2021. (1,58)

In 2020, HLIB carried out 119 risk-based inspections, including 27 in the area of worker health and ensuring worker safety in the mining sector. No child labor violations were discovered during these inspections, although HLIB separately examined a number of cases in which children were engaged in sales, and issued a \$400 fine

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

in one case in which a minor younger than 14 was selling bread. (1) During the first 10 months of 2020, HLIB launched 823 administrative proceedings that were unrelated to the pandemic, 687 of which were initiated by HLIB and 136 in response to complaints. HLIB also undertook 33,474 inspections to monitor pandemic-related regulations. (1) The HLIB hotline received over 2,500 calls in 2020, a seven-fold increase over the previous year. In December, HLIB launched a new online platform to which workers can submit complaints. (1)

### **Criminal Law Enforcement**

In 2020, 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 investigative planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Yes (14)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (55)	Yes (14)
Refresher Courses Provided	Yes (55)	Yes (14)
Number of Investigations	2 (40)	3 (14)
Number of Violations Found	2 (40,44)	1 (14)
Number of Prosecutions Initiated	1 (55)	2 (14)
Number of Convictions	0 (55)	0 (14)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (55)	No (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (9,35)

During the reporting period, the government identified five cases of trafficking of a minor child for the purpose of labor exploitation, including forced begging. (1) Law enforcement authorities initiated investigations into three cases of child labor exploitation involving four minor children—one in cattle breeding, two in forced begging, and one working in a store. (14)

The government introduced a 5-month training program for Armenia’s new patrol police force that includes information on combating trafficking in persons and identifying minor victims. The patrol police training began in November 2020, with the new force's launch scheduled for mid-2021. (35)

In 2020, legislation came into force that permits investigators to question the victims of a crime via video for reasons of health, age, or safety. Investigators are also now permitted to speak to a witness or victim in another country via diplomatic representation. (35) In addition, as of January 1, 2021, a new law came into force that limits interviews of minor witnesses and victims of crime to a maximum of 90 minutes. (35) However, law enforcement officials may not receive sufficient specialized training on interviewing victims of child trafficking, which in some cases can prevent local investigators from collecting sufficient evidence to build a prosecutable case. (43) Although the Criminal Procedural Code includes provisions to protect witnesses and minimize victim retraumatization, the government may not employ these measures in all human trafficking cases, including those involving minors. (44)

## **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.

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

Coordinating Body	Role & Description
Ministerial Council to Combat Human Trafficking	Implements, coordinates, and monitors government efforts on trafficking in persons. Chaired by the Deputy Prime Minister. (44,59) Held virtual discussions with the Inter-Agency Working Group Against Trafficking in Persons in early October 2020. (35)
Inter-Agency Working Group Against Trafficking in Persons	Advises and organizes the Ministerial Council to Combat Human Trafficking, and implements decisions made by the Council. Chaired by the MLSA. (40,59,60) Met in March 2020, but most activities were paused while the government reorganized, absorbed, or eliminated entities previously responsible for many of the relevant actions. (10,14,60)
Referral Mechanism for Minor Victims of Trafficking in Persons*	Established in June 2020, oversees the process by which minor victims are referred to the victim identification committee and are provided assistance. (1,60)
Working Group to Address Children's Issues	Established by an Order of the Chief of Police and consists of local government representatives, the MLSA, police, and the Human Rights Defender Office, as well as NGOs and international organizations. Holds regular sessions to discuss issues pertaining to children in difficult life situations, including the topics of child labor and begging. (14) Meetings were temporarily suspended due to the pandemic. (14)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In June 2020, the government adopted a new referral mechanism to identify and assist minor victims of trafficking in persons. (1) The Ministerial Council to Combat Human Trafficking and the Inter-Agency Working Group Against Trafficking in Persons met virtually during the reporting period to discuss the implementation of the National Action Plan (NAP) Against Trafficking in Persons. In addition, the Ministry of Justice devised a plan consisting of additional measures for both short-term and long-term improvement of the government's strategies to combat trafficking in persons, and the plan was agreed to by all relevant state agencies and approved by the Deputy Prime Minister, who heads the Council. (1,35) However, Armenia still lacks coordinating mechanisms to address other forms of child labor, including street work, the services sector, and agriculture. (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 mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan (NAP) Against Trafficking in Persons (2020–2022)*	Supported the development of policy and the implementation of activities to address human trafficking. Committed the government to train specialists in multiple spheres, including law enforcement, the courts, educators, and medical providers. In 2020, created a mechanism to monitor vulnerable children and those who are not attending school. (13,35)
National Strategy for Child Rights Protection (2017–2021)	Includes an action plan 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. (20) Sponsored the creation of a comprehensive report by the MLSA during the reporting period, which was submitted to the government and to a panel of independent experts to identify gaps and shortcomings to be addressed in the next iteration of the strategy. (14)
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. (62) Launched an electronic platform during the reporting period in cooperation with the Ministry of Justice and international organizations which contains information on the implementation of all activities under this policy. (14)

\* Policy was approved during the reporting period.

Although the implementation of the government's NAP Against Trafficking in Persons (2020–2022) had been delayed, the NAP entered into force on June 4, 2020, and implementation in several areas, such as public outreach and education, began immediately. (35)



# Armenia

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Family Benefits Program†	Seeks to mitigate poverty for families with children by giving families a monthly payment based on their financial situation, the number of children in the family, and the geographical location of their home. (63) Was active during the reporting period. (14)
UNICEF Country Program for 2016–2020	Improved 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. Continued to be active during the reporting period. (64)
Shelter for Victims of Human Trafficking‡	A government-funded shelter operated in partnership with NGOs that provides medical, psychological, social, and legal services to victims of human trafficking, and access to education for children. In 2020, provided services to nine victims referred by law enforcement. (1,13,14)

† 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. (63)

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.

During the reporting period, the government introduced additional programs to provide financial assistance to those affected by the pandemic and relief to those displaced by the Nagorno-Karabakh conflict. (1) However, personnel and resources are insufficient to meet the needs of many social services programs, and participation is low due to a lack of awareness-raising outreach by the government. (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 Armenia (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that labor legislation covers children working in the informal sector, including those who are self-employed.	2020
	Ensure that Armenian law specifies the types of light work acceptable for children ages 14 to 15.	2014 – 2020
	Facilitate enforcement of labor law by codifying a definition of forced labor.	2016 – 2020
	Criminally prohibit and penalize the use of a child for prostitution.	2019 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2018 – 2020
Enforcement	Ensure that the Health and Labor Inspection Body is empowered to conduct routine unannounced inspections.	2017 – 2020
	Draft and approve inspection checklists that fully empower the Health and Labor Inspection Body to conduct inspections for child labor violations in all industries, and ensure that such inspections are carried out.	2019 – 2020
	Strengthen the labor inspection by increasing the number of labor inspectors to meet the ILO's technical advice.	2017 – 2020
	Provide regular refresher courses and trainings on new labor laws for labor inspectors.	2020
	Protect children by providing law enforcement officials with specialized training on interviewing victims of child trafficking.	2018 – 2020
	Implement existing witness protection mechanisms to protect victims of child trafficking who cooperate with law enforcement.	2011 – 2020

## 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
Coordination	Establish coordinating mechanisms to combat child labor, including all its worst forms.	2009 – 2020
Social Programs	Improve understanding of child labor issues in Armenia by regularly collecting and maintaining data on child labor.	2019 – 2020
	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 – 2020
	Strengthen support for potential victims through measures in the educational system to identify truant children and ensure they are not engaged in child labor.	2020
	Ensure the availability of out-of-care services for deinstitutionalized children in parallel with increased efforts to prevent institutionalization of children, and ensure that children currently residing in government institutions are not engaged in child labor.	2015 – 2020
	Ensure that mainstream education is accessible to children with special education needs and children with disabilities by improving the accessibility of the physical infrastructure and increasing the availability of special education teachers and other specialists for students with mental disabilities.	2014 – 2020
	Implement programs to address child labor in street work and in agriculture.	2009 – 2020
	Allocate sufficient personnel and resources to publicize and provide social services throughout the country, offer sufficient training to service providers, and assign reasonable caseloads	2020

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In 2020, Azerbaijan made minimal advancement in efforts to eliminate the worst forms of child labor. The government approved the National Action Plan on Combating Trafficking in Human Beings (2020–2024) and drafted criteria for resuming risk-based routine labor inspections on occupational safety and health. However, despite new initiatives to address child labor, Azerbaijan is assessed as having made only minimal advancement because it continued to implement a law that delays advancement in eliminating the worst forms of child labor. In 2017, the government extended a moratorium on labor inspections, including worksite inspections, until 2021. On March 9, 2021, this moratorium was extended again, through January 1, 2022. While inspectors can conduct desk reviews in response to complaints, the lack of proactive or onsite inspection mechanisms may leave potential violations of child labor laws undetected in workplaces. Children in Azerbaijan are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children also engage in child labor in agriculture. Coordinating bodies, including the State Committee on Family, Women and Children's Affairs, lack the capacity to effectively carry out their mandates. In addition, police typically treat children begging or engaging in street work as a family issue, rather than screening for indicators of forced begging. As a result, cases may not be properly referred for criminal investigation and prosecution.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Azerbaijan are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced begging. Children also engage in child labor in agriculture. (I-9) Table I provides key indicators on children's work and education in Azerbaijan.

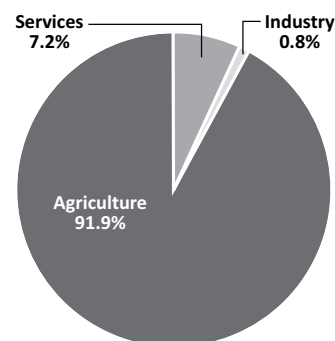
**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	4.5 (70,034)
Attending School (%)	6 to 14	94.3
Combining Work and School (%)	7 to 14	4.9
Primary Completion Rate (%)		100.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (10)

Source for all other data: International Labor Organization's analysis of statistics from the Child Labor Survey (SIMPOC), 2005. (11)

**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, including harvesting potatoes and production of cotton, tea, and tobacco† (1,3-7,12,13)
Services	Street work, including begging, vending, carrying luggage, and gathering scrap metal (1,8,13-15) Washing and repairing cars (16-18) Catering, activities unknown (1,16,18)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,8) Forced begging (1-3,7,8)

† 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.



# Azerbaijan

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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. (3,6,7,19) Although the prevalence of child labor in cotton harvesting is unknown, there were reports in 2018 and 2019 that children under age 15 worked picking cotton to augment family incomes. (3,20,21) Survey research conducted in 2019 by the State Committee for Family, Women and Child Affairs in three cities and five districts found that children under age 17 work in the household or in family businesses. Respondents reported that children who work outside the home do so to financially support their families. (22)

Crop production in Azerbaijan is governed by a "priority" system that conditions agricultural subsidies, services, and access to public resources, such as irrigation water, on whether farmers produce one or more crops that the government has designated as high priority. In 2020, priority crops included cotton, tobacco, sugar beets, hazelnuts, tomatoes, and other fruits and vegetables. (3) In some cases, regional and local government officials are held responsible for mobilizing sufficient labor to meet established production targets for one or more of these priority crops. (23-28) This system creates a risk that farmers and local officials may turn to exploitative labor practices, including child labor and forced labor, to ensure they are able to meet production targets for designated crops. (20,28)

Children in Azerbaijan are subjected to commercial sexual exploitation domestically. (1,2,8,9,29) Street children, some of whom become homeless after they are released from government-run care institutions, and children from marginalized communities are particularly vulnerable to human trafficking within Azerbaijan. (1,2,9,13,29,30) NGOs report that children who are forced to beg often show signs of sexual abuse. (31)

Although Article 5 of the Education Law guarantees free universal education, undocumented children and children with disabilities face difficulty accessing education. Children without identification documents are ineligible to enroll in school, which affects 35 to 40 percent of children referred annually to shelters for minors. (3) The court proceedings required to secure identification documents can take up to 2 or more years, during which time children cannot attend school. Although government-run shelters are able to provide interim individual education services while undocumented children await identification papers, NGO-run shelters lack the capacity to provide such services. (3) 67 percent of children with disabilities are not in school, facing barriers to education that include inaccessibility within the physical infrastructure of schools, lack of specialized training for teachers on inclusive education, and a general social stigma against individuals with disabilities. (19,32) Children from the Roma ethnic community also face barriers to education due to social stigma. In addition, children in some rural areas have low rates of school attendance. (1) Children not attending school are vulnerable to child labor.




Children's access to education in some regions was impeded in 2020 by the escalation of armed conflict between Azerbaijan and neighboring Armenia. The government reported that shelling in civilian areas near the conflict line, including in Tartar and Aghdam districts, damaged local schools. (33,34) There were also reports of attacks, some involving cluster munitions, which destroyed homes and, in isolated incidents, wounded or killed children in districts near the contact line and in Ganja, Azerbaijan's second-largest city. (35,36)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW 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	✓

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 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	Articles 42 and 249 of the Labor Code; Article 192 of the Code of Administrative Offenses (37,38)
Minimum Age for Hazardous Work	Yes	18	Article 250 of the Labor Code; Article 192 of the Code of Administrative Offenses (37,38)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 98, 250–252, and 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 (37,39,40)
Prohibition of Forced Labor	Yes		Article 35 of the Constitution; Article 144-2 of the Criminal Code (41,42)
Prohibition of Child Trafficking	Yes		The Law on Trafficking in Persons; Article 144-1 of the Criminal Code (42,43)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 144-1 and 171 of the Criminal Code (42)
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 (40,42)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 36 of the Law on Military Obligation and Military Service (44)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 2, 3, and 12 of the Law on Military Obligation and Military Service (44)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 116 of the Criminal Code (42)
Compulsory Education Age	Yes	15‡	Article 19 of the Law on Education; Article 13 of the Law on General Education (45,46)
Free Public Education	Yes		Articles 5 and 19 of the Law on Education; Article 13 of the Law on General Education; Article 22 of the Law on the Rights of the Child; Article 42 of the Constitution (40,41,45,46)

The laws criminalizing commercial sexual exploitation of children are insufficient because the crime of involving a child in prostitution established by Criminal Code Article 171 does not criminalize the users (clients) of prostitution involving children. Similarly, the criminalization of involvement of a child in "immoral actions" does not clearly criminalize the use or offering of a child for the production of pornography or pornographic performances. (42)

# Azerbaijan

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED 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, 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 (MLSPP)	Enforces labor laws related to the worst forms of child labor through the State Labor Inspection Service. (1,47)
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. (1,47) Through the Anti-Trafficking Division, enforces human trafficking laws, investigates human trafficking violations, and enforces criminal laws related to the use of children in illicit activities. (1,8) Refers children who are victims of human trafficking to social services for assistance with school enrollment, participation in recreational activities, and procurement of proper documentation. (1)
National Referral Mechanism for Trafficking in Persons	Refers victims of human trafficking to the relevant authorities to ensure the protection of their rights. (48,49) Refers human trafficking cases to the Anti-Trafficking Division for investigation. (1)

Sources report a lack of coordination between law enforcement agencies. (1-3)

#### Labor Law Enforcement

In 2020, the absence of worksite inspections conducted at the national level in Azerbaijan 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	2019	2020
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	177 (50)	182 (19)
Inspectorate Authorized to Assess Penalties	Yes (51,52)	Yes (51,52)
Initial Training for New Labor Inspectors	Yes (7)	Unknown
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (7)	No (53)
Number of Labor Inspections Conducted	0 (51,52)	0 (19,22)
Number Conducted at Worksite	0 (51,52)	0 (19,22)
Number of Child Labor Violations Found	9 (7)	3 (53)
Number of Child Labor Violations for Which Penalties Were Imposed	9 (7)	3 (53)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	3 (53)
Routine Inspections Conducted	No (51,52)	No (51,53)
Routine Inspections Targeted	No (51,52)	No (19,51)
Unannounced Inspections Permitted	No (51,52)	No (51,53,54)
Unannounced Inspections Conducted	No (51,52)	No (19,53)
Complaint Mechanism Exists	Yes (17,51,52)	Yes (17,19,51,52)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (47)	Yes (15,19)

The government suspended all routine and unannounced labor inspections in 2016 as part of a broader anti-corruption drive. In 2017, this moratorium was extended until 2021 as part of an effort to stimulate small and medium business growth, and remained in force during the reporting period. (1,17,22,51,55) In March 2021, the government extended this moratorium for another year, through January 1, 2022. (53,54) Although the State Labor Inspection Service (SLIS) is still able to receive and respond to complaints, this response cannot include onsite inspections. Instead, the SLIS investigates complaints by requesting information from the employer in question and, if necessary, relevant employees. (51-55) Based on information received, inspectors are empowered

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to identify violations and impose appropriate penalties. The SLIS can impose penalties directly against individuals but must refer cases to the courts to levy penalties against corporate entities. (51) The SLIS is also able to detect potential minimum age violations by monitoring an electronic database of labor contracts, but did not have the authority to impose penalties related to violations detected in this manner during the reporting period. (51)

The government has also reported that the SLIS is required to establish assessment criteria for determining a risk-based routine inspection plan before routine inspections could resume. (22) In 2020, the SLIS worked with the International Finance Corporation to draft a set of criteria for determining occupational safety and health (OSH) risk, which is currently pending approval by the Cabinet of Ministers. (19,22) Approval of the draft criteria may permit the SLIS to resume limited labor inspections for OSH issues, including hazardous child labor. (22)

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. (56,57) Government officials also assess the number of inspectors as insufficient to fully enforce child labor laws in Azerbaijan. (58)

The SLIS detected three child labor violations during the reporting period, all involving children working under the minimum age. One child was working in catering, one in car repair, and one in transporting goods. (53) A penalty of \$1,765 (3,000 *manat*) was imposed in each instance. (53)

### Criminal Law Enforcement

In 2020, 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 investigative planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (7)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (14,30)	Yes (31)
Number of Investigations	Unknown	2 (19,31,59)
Number of Violations Found	3 (3)	2 (19,31)
Number of Prosecutions Initiated	8 (3)	0 (19)
Number of Convictions	1 (3)	1 (19)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (3)	Yes (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (49)	Yes (31)

In 2020, the Ministry of Internal Affairs (MOIA) identified one forced labor case involving two minors. (31,59) Police also continued to investigate a forced child begging case opened in 2019. One case of forced child begging that a local NGO referred to law enforcement in 2018 concluded in 2020; the Baku Court on Grave Crimes sentenced the perpetrator to 8 years' imprisonment. (19) Although the government previously reported identifying one case of child commercial sexual exploitation in 2019 and five cases in 2018, the status of these cases is unknown. (3,30) The MOIA noted that some monitoring activities to detect the worst forms of child labor, especially commercial sexual exploitation of children, were partially suspended for portions of the reporting period due to the COVID-19 pandemic. (31)

During the reporting period, anti-trafficking police attended four trainings on victim identification. In addition, the Anti-Trafficking Division within MOIA conducted human trafficking training for new prosecutors in Baku and Nakhchivan, 150 police officers received training on preventing exploitation of vulnerable children, and the Ministry of Justice trained 20 judges on adjudication of human trafficking cases. (15,31)



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Police typically treat children begging or engaging in street work as a family issue, rather than screening for indicators of forced begging. As a result, these situations are often referred to the Commission on Juvenile Issues and Protection of Minors' Rights for coordination of services, rather than to law enforcement agencies for investigation and, when warranted, criminal prosecution of forced begging cases. (1,30,49) In addition, research found that police declined to investigate the majority of forced begging cases referred to them and that children identified in child labor resumed work almost immediately after being identified by law enforcement officials. (3,58,60) Also, child labor law enforcement efforts are concentrated in Baku, with few investigations undertaken outside the capital. (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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Commission on Juvenile Issues and Protection of Minors' Rights	Coordinates policies at the national level to protect children from the worst forms of child labor. (3) Located within the Cabinet of Ministers and acts as a national-level version of district-level Commissions on Juvenile Issues and Protection of Minors' Rights, which are located in individual district Executive Commissions. (3) Research was unable to determine whether the national-level Commission on Juvenile Issues and Protection of Minors' Rights was active during the reporting period.
National Coordinator and Inter-Agency Commission to Combat Trafficking in Human Beings	Coordinates policies to counter trafficking in persons and oversees implementation of the National Action Plan to Combat Trafficking in Human Beings. Led by MOIA's Anti-Trafficking Division (ATD) and includes representatives from MLSP, Prosecutor General's Office, State Border and Migration Services, Ministry of Youth and Sports, and other government entities. (3,31) This coordinating mechanism was active in 2020. In addition, IOM and local NGOs reported good communication with the ATD and government counter-trafficking mechanisms. (31)
State Committee on Family, Women, and Children's Affairs (SCFWCA)	Coordinates child-related policies, including research on child labor. Works with local governments, particularly district-level Executive Commissions, to coordinate policies related to children and gather data on the situation of children and families in rural areas. (3) In 2020, the SCFWCA approved a strategy for improving child protection that includes child labor prevention activities, including awareness raising and establishing a monitoring mechanism to identify children who may be vulnerable to the worst forms of child labor. The SCFWCA also provided workshops and trainings for vulnerable children and families affected by the COVID-19 pandemic and by escalating conflict between Azerbaijan and Armenia. (22,61)

Although Commissions on Juvenile Issues and Protection of Minors' Rights exist at both the national and local levels, research was unable to determine the relationship between these respective national and local coordinating bodies. (3) Reports also indicate that individual agencies do not understand their role in combating human trafficking or are unaware of how to coordinate effectively with other agencies, despite the existence of a national counter-trafficking coordination mechanism. (31) In addition, sources report that the efficacy of the State Committee on Family, Women, and Children's Affairs (SCFWCA) as a coordinating body is limited. (3,58) Although the SCFWCA is empowered to work with district-level Executive Committees to coordinate policy and research related to children, the body has limited capacity to do so. (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 covering all worst forms of child labor.

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan on Combating Trafficking in Human Beings (2020–2024) <sup>†</sup>	Aims to further government efforts to combat human trafficking through enhanced coordination between relevant government agencies and improved protection for human trafficking victims. Includes action items to improve services for child trafficking victims, address forced child begging, and research and monitor forced labor and child trafficking risks. (62)
Strategy on Children of the Republic of Azerbaijan (2020–2030) <sup>†</sup>	Aims to improve child protection mechanisms and legislation. Through associated National Action Plan for implementation, includes action items on implementing international commitments under ILO Convention 182 and enhancing coordination to detect and prevent child labor and commercial sexual exploitation of children. (63,64)
State Program on Improvement of Official Statistics in the Republic of Azerbaijan (2018–2025)	Aims to improve and further develop the national statistics system. Includes an action item on developing a methodology for studying child labor and conducting survey research on the prevalence of child labor in Azerbaijan. (66) In 2020, the State Committee on Family, Women, and Child Affairs published an analysis of child labor data collected in 2019 using a pilot survey methodology. (14,22)
State Program for the Development of Inclusive Education for Children with Disabilities (2018–2024)	Aims to create inclusive education for children with disabilities. Currently piloting regional resource centers in nine regions to train teachers in inclusive methods. (3,47) In 2020, 630 children received services at community-based centers for children and families with special needs. (22)

<sup>†</sup> Policy was approved during the reporting period.

<sup>‡</sup> The government has other policies that may have addressed child labor issues or had an impact on child labor. (22,65)

Although the government has adopted the National Action Plan to Combat Trafficking in Human Beings (2020–2024) and the Strategy on Children (2020–2030), research found no evidence of a policy on other relevant forms of child labor, including hazardous child labor in agriculture.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Decent Work Country Program (2016–2020)	Aimed to promote decent employment opportunities and improve social protection and labor administration mechanisms. Includes a focus on youth employment. (67) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Social Shelter and Rehabilitation Center for Minors <sup>†</sup>	MLSPP-run shelter in Baku for vulnerable children, including street children. (3,47) In 2020, continued to operate and provided children with temporary accommodation and assistance accessing education and receiving identity documents. (22,61)
Victims Assistance Centers <sup>†</sup>	Provide direct social services and social services referrals to victims of human trafficking, including children. Funded by MLSPP. (51) In 2020, provided support to 32 victims. (31)
Targeted Social Assistance Program <sup>†</sup>	MLSPP-run program that provides cash transfers to families. (1) Continued to provide benefits in 2020, and expanded the number of enrolled families. (68) Limited reports suggest that informal administrative fees may prevent eligible families from accessing benefits. (20)
MOIA Identification Document Program <sup>†</sup>	Provides identification documents to undocumented minors who may be street children or victims of human trafficking. (58) This program continued to operate in 2020. (59)

<sup>†</sup> Program is funded by the Government of Azerbaijan.

<sup>‡</sup> The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,15,22,47)

In 2020, the Council on State Support to Non-Governmental Organizations allocated approximately \$101,000 (172,000 manat) to NGO projects related to human trafficking prevention and victim assistance. The government also provided a land grant to a local NGO for construction of a new shelter for human trafficking victims. (31) However, the level of government support for these NGO-run shelters is inconsistent. (2) Directors of these shelters note that the unpredictable nature of funding prevents long-term planning and capacity building of shelters, including those that serve child victims. (2,31,65,69)

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During the reporting period, the Ministry of Labor and Social Protection of Population provided services to 630 children and families with disabilities through community-based rehabilitation centers. The government reported that these community-based services are offered to families to prevent institutionalization of children. (22) The Ministry of Agriculture provided 15 trainings on child labor prevention to farmers in districts in which children are vulnerable to child labor, including the Saatli, Aghjabadi, Beylagan, Bilasuvar, Sabirabad, Neftchala, Kurdamir, Yevlakh, Hajigabul, Zardab, Samukh, Goranboy, Imishli, and Tartar districts. (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 Azerbaijan (Table II).

**Table II. 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 – 2020
	Criminally prohibit the use of children for prostitution and the use and offering of children for the production of pornography and pornographic performances.	2019 – 2020
Enforcement	Resume routine, targeted, and unannounced labor inspections, including in response to complaints, to ensure that child labor laws are enforced.	2016 – 2020
	Increase the number of labor inspectors to meet the ILO's technical guidance.	2016 – 2020
	Publish information on the labor inspectorate's operations, including funding levels and training provided to labor inspectors.	2015 – 2020
	Ensure that children identified by law enforcement as engaged in child labor are referred to social services centers or other services, as appropriate, so that they do not return to child labor.	2018 – 2020
	Increase law enforcement investigations related to child labor outside Baku.	2018 – 2020
	Screen for forced labor indicators in child begging situations, including those referred by NGOs, and as appropriate, investigate and prosecute forcing children to beg as a criminal offense.	2018 – 2020
	Coordinate	Increase coordination between law enforcement agencies to enforce child labor laws.
Coordination	Ensure that all coordinating bodies are capacitated and able to carry out their intended mandates, including across different agencies and levels of government.	2016 – 2020
	Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as hazardous work in agriculture.
Revise policies on priority crops that mandate production targets to help prevent child labor in agriculture.		2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2020
	Ensure that children from marginalized groups and children with disabilities have equal access to education.	2016 – 2020
	Ensure that undocumented children are able to access education.	2019 – 2020
	Ensure that all eligible families are able to access benefits under social programs for vulnerable children and families.	2019 – 2020
	Publish activities undertaken to implement social programs to address child labor during the reporting period.	2020
	Ensure that NGO-run shelters for victims of human trafficking are sufficiently and consistently funded to provide adequate services to victims.	2015 – 2020

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In 2020, Bangladesh made moderate advancement in efforts to eliminate the worst forms of child labor. The government extended implementation of the National Plan of Action on the Elimination of Child Labor from 2021 to 2025. The Ministry of Labor and Employment also drafted an update to the hazardous work list, which if adopted, would add drying fish. In addition, the government constituted and funded seven anti-trafficking in persons tribunals to handle human trafficking cases. However, children in Bangladesh are subjected to the worst forms of child labor, including forced child labor in the production of dried fish and bricks. Children also perform dangerous tasks in garment and leather goods supply chains. The Bangladesh Labor Act does not apply to the informal sector, in which most child labor in Bangladesh occurs. Penalties for child labor violations can only be imposed after a lengthy legal process and, when courts do impose them, the fines are too low to deter child labor law violations. Moreover, the government did not publicly release information on its criminal law enforcement efforts related to child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bangladesh are subjected to 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 garment and leather goods supply chains. (2-5) Table 1 provides key indicators on children's work and education in Bangladesh. 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	9.2 (Unavailable)
Attending School (%)	5 to 14	88.4
Combining Work and School (%)	7 to 14	8.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2019. These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, or age range surveyed. (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	Harvesting and processing crops, including tobacco, raising poultry, grazing cattle, and harvesting tea leaves (8-13)
	Fishing and drying and processing fish (1,2,9,11,14-16)
	Harvesting and processing shrimp (2,8,12)
Industry	Producing garments, textiles, and jute textiles (2,17-21)
	Producing leather,† leather goods, and footwear† (8,22-26)
	Manufacturing bricks,† glass,† hand-rolled cigarettes (bidis),† matches,† soap,† furniture (steel),† furniture (wood), aluminum products,† and metal products (2,8,9,12,27-31)
	Shipbreaking† and battery recycling† (2,8,26,32-34)
	Construction† and breaking bricks† and stones† (9,11,12)

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

Sector/Industry	Activity
Services	Domestic work (2,11,35-39)
	Garbage sorting and recycling (2,40)
	Working in transportation, including ticket taking, welding, pulling rickshaws, driving, and repairing automobiles† (2,9,11,23,38-42)
	Working in tea shops and retail shops (2,9,11,39)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling and selling drugs (8,12,43,44)
	Forced begging (8,39,43)
	Forced labor in the drying of fish and the production of bricks (1,8,14,15,45)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,8,39,46-48)
	Forced domestic work, sometimes as a result of human trafficking (2,8,11,12,39,43,49,50)

† 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.

Although research is limited, there are indications that an increased number of children have been forced into commercial sexual exploitation and forced begging as a result of the COVID-19 pandemic. (51) The Bangladesh Bureau of Statistics estimated that there were 1.28 million children working in hazardous sectors before the pandemic, and one NGO has observed a 33 percent increase in child labor and guessed 20 to 25 percent of children in its programs had moved into more hazardous jobs or returned to their villages since the onset of the pandemic. (2,31,40) Sources further indicate that children engaged in child labor worked longer hours with fewer breaks, earned lower salaries, and faced worse conditions as a result of the pandemic. (2) Hazardous sectors in which children work include tanneries, shipbreaking, and the dried fish industry. (5,8,35,45) In the dried fish industry, children work all day without protective gear and are exposed to the insecticide DDT (dichlorodiphenyl-trichloroethane), salt, and the sun. (45,100) In the shipbreaking sector, children are exposed to toxic materials such as asbestos, work in dangerous conditions without personal protective equipment, and often work at night. (34) Children who work in tanneries lack protective equipment and experience continuous exposure to heavy metals, formaldehyde, and other hazardous substances. (3,4) In addition, 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. (25,101-103)

Reports of violence against child workers in various sectors, including in domestic work, have also been documented. (8,20,38,52-54) In 2018, a survey by an international organization found more than 400,000 children in domestic work in Bangladesh. Throughout Bangladesh, street children are coerced into criminality or forced to beg, and begging ringmasters sometimes maim children to increase earnings. (39) Some girls are forced into domestic service, sometimes as a result of human trafficking, and are abused by their employers. (2,43,49,50) In 2020, at least eight girls working in domestic work were tortured, and three subsequently died. (55) Children are also forced, especially in border areas, to produce and transport drugs, especially “yaba” tablets (methamphetamine). (39)

Children throughout Bangladesh are sexually exploited through the country’s legal and illegal brothels, and child commercial sexual exploitation remained widespread. (39) False promises of work are used to lure poor women and children into exploitation, and oftentimes these women and girls, some as young as age 10, are charged exorbitant and fabricated debts they must work to repay. (39) Women and children living on the street or struggling economically and children fleeing abusive child marriages, are especially vulnerable to being sold to brothels for commercial sexual exploitation. Some children of sex workers are also put to work in brothels and made to take steroids to appear older. (39) In addition, children are trafficked to India where they are forced into labor or commercial sexual exploitation. (2) Research has found that Internet-based trafficking in persons increased during the pandemic, with traffickers adapting to technology by using popular apps to connect with victims. (51)

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 scheme is not enforceable until the legal framework is amended to reflect the revised policy. (31) Research has found many schools are overcrowded and over 80 percent run double shifts. Further, the Teacher Training Institute cannot keep up with the demand for teachers, particularly in rural areas. (2) To accommodate the larger number of students receiving compulsory education, Bangladesh is building new schools for students in higher grades. In the 2019–2020 fiscal year, Bangladesh completed 2,249 new schools, installed sanitation facilities in 850 schools, and installed tube wells in 1,175 schools. (31) While poverty was the most common reason children did not attend school, as 31 percent of families depend on child labor to survive, inadequate access to education remains a concern. (40)

In 2020, access to education in Bangladesh was severely inhibited due to the pandemic. Schools in Bangladesh closed in the spring and remained closed through the end of the reporting period. (2) While televised and online classes were made available to students in grades one through ten, the distance learning program did not adequately reach the most vulnerable children. In addition to pandemic-related closures, children in Bangladesh face barriers to education such as high costs for transportation, uniforms, and stationary. (2,56)

Over 400,000 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. (39,43,57,58) In 2020, the government began restricting humanitarian access, including education and protection programs, due to the pandemic. The government also erected barbed wire fences around refugee camps as a security measure. (59) As a result, refugee children are more vulnerable to exploitation and less able to access humanitarian assistance. (59) 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. (39) 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. (43,60) Rohingya boys typically work in construction, fishing, and shops. (39,50) Rohingya children are further sold into bonded labor in the fish drying industry by their parents, primarily in Cox's Bazar. Bonded laborers—both Bangladeshi children and Rohingya refugee children—work to pay off their parents' debts over a 9 month fishing season. (15,39)

Rohingya refugee children are not permitted to attend primary and secondary school in Bangladesh, including in private educational institutions, due to their lack of documentation. (40) The government has permitted international organizations, such as UNICEF, UNESCO, and UNHCR, to provide some basic education services to primary school-age Rohingya children, and some university-level students have received scholarships. (31,40,59) Aid groups are barred from teaching the Bangla language, using Bangladesh's educational curriculum, or providing accredited education to refugees. (2,40) However, the Government of Bangladesh agreed to allow international partners to implement the Myanmar Curriculum Pilot, which began rolling out in 2020, but was put on hold due to the pandemic. The pilot, based on refugees' interests, would allow children to follow Burma's educational curriculum and learn the Burmese language with the goal of preparing for their return in the future. (31)

## II. LEGAL FRAMEWORK FOR CHILD LABOR




Bangladesh has ratified most key international conventions concerning child labor (Table 3).



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**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 (61)
Minimum Age for Hazardous Work	Yes	18	Sections 39–42 of the Bangladesh Labor Act (61)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 39–42 of the Bangladesh Labor Act; Statutory Regulatory Order Number 65 (61,62)
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 (63,64)
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 (64,65)
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 (63,64,66,67)
Prohibition of Using Children in Illicit Activities	No		Section 79 of the Children's Act (66)
Minimum Age for Voluntary State Military Recruitment	Yes	16.5	Army, Air Force, and Navy Regulations titles unknown (68-71)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 38 of the Constitution (72)
Compulsory Education Age	No	10	Section 2 of the Primary Education (Compulsory) Act (73)
Free Public Education	Yes		Article 17 of the Constitution (72)

\* No conscription (74)

Minimum age protections in the Bangladesh Labor Act do not cover children working in the informal sector, in which an estimated 93 percent of child labor in Bangladesh occurs, including domestic work, street work, and work on small agricultural farms. (39,56,61,75) In addition, the types of hazardous work prohibited for children do not cover producing garments 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. (1,8,17-21,25,45,62,101-103)

Bangladesh prohibits, but does not criminalize, the use of children in pornographic performances and in the production of drugs. (64,66) Sources indicate that the minimum age for recruitment in the Army is 17 and requires parental consent in addition to birth documents verifying age. (69) Army recruitment and training take 1 year, ensuring that recruits reach the age of 18 before entering regular duty. (70) However, the minimum age for recruitment in the Air Force is 16. (68) In addition, there are no laws that set the minimum age of voluntary recruitment by the state armed forces. Although the Constitution prohibits the formation of non-state armed groups, the legal framework does not criminally prohibit the recruitment of children by non-state armed groups. (72)

As mentioned earlier, though 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 scheme is not yet enforceable. (31, 76) The compulsory education age is lower than the minimum age for work, making children ages 10 to 14 vulnerable to child labor, as they are not required to attend school but are not legally permitted to work.

In 2020, the Ministry of Labor and Employment drafted an update to the hazardous work list, which if adopted, would add drying fish. (2)

### 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 and operations of 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 Inspection for Factories and Establishments (DIFE)	Enforces labor laws, including those relating to child labor and hazardous work. (77) DIFE is within the Ministry of Labor and Employment (MOLE). (78)
Bangladesh Police	Enforce Penal Code provisions protecting children from forced labor and commercial sexual exploitation. (8) 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. (79)
Bangladesh Labor Court	Prosecutes labor law violations, including those related to child labor, and imposes fines or sanctions against employers. (80) Research has found that fines are usually minimal and that perpetrators are usually not sentenced to jail for employing children. (31)
Child Protection Networks	Respond 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 between law enforcement and social welfare services at the district and sub-district levels. (81) Reporting 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. (82)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Bangladesh took actions to combat child labor (Table 6). However, gaps exist within the authority of the Department of Inspections for Factories and Establishments (DIFE) that may hinder adequate labor law enforcement, including a lack of authority of labor inspectors to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$4,940,920† (71)	\$5,488,943‡ (71)
Number of Labor Inspectors	302 (83)	308 (71)
Inspectorate Authorized to Assess Penalties	Yes (61)	Yes (61)
Initial Training for New Labor Inspectors	Yes (8)	Yes (71)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (83)	Yes (71)

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

Overview of Labor Law Enforcement	2019	2020
Number of Labor Inspections Conducted	37,327† (71)	22,195‡ (71)
Number Conducted at Worksite	37,327† (71)	22,195‡ (71)
Number of Child Labor Violations Found	2,110† (71)	3,531‡ (71)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (71)	27 (31)
Number of Child Labor Penalties Imposed that Were Collected	42 (83)	27 (31)
Routine Inspections Conducted	Yes (83)	Yes (71)
Routine Inspections Targeted	Yes (83)	Yes (71)
Unannounced Inspections Permitted	Yes (61)	Yes (61)
Unannounced Inspections Conducted	Yes (83)	Yes (71)
Complaint Mechanism Exists	Yes (8)	Yes (71)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (40)	No (71)

† Data are from July 1, 2019 to June 30, 2020.

‡ Data are from July 1, 2020 to December 30, 2020.

DIFE conducts routine inspections in assigned areas based on a checklist that includes child labor. In response to complaints, DIFE also conducts unannounced visits. (2) However, DIFE is only authorized to conduct unannounced inspections outside the export processing zones and special economic zones. (2,56,104) The lack of routine unannounced inspections in all sectors allows employers to hide child laborers. (39) Sources report that garment factories producing for local markets are rarely inspected despite a high prevalence of child labor in the sector. (2) Some employers move children to night shifts to evade inspectors, as night inspections are only conducted until 8 p.m. (2,34) In addition, the penalty for a child labor law violation, which can only be imposed by a court after a lengthy process, and the low amount of penalties imposed are inadequate to act as deterrents. (2,56) Research has found that the maximum penalty for a child labor law violation is approximately \$59 (5,000 taka), which is insufficient to deter violations. (61,84)

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. (8,85-88) Sources indicate that DIFE is insufficiently funded and inspectors are reluctant to enforce labor laws because they believe factories will close and force the poor out of work. (2)

The government reported that, between July 2019 and December 2020, labor inspections led to the removal of 1,924 child laborers from 1,500 worksites. The government also reported that in 2020, 88 cases were filed against factory owners for child labor violations. (71) However, courts were closed for much of 2020, so the outcome of these cases and whether financial penalties were imposed are unknown. When discovered, children are not referred to schools or other social safety net programs, and research has found that it is possible they find work elsewhere. (31)

A previous reciprocal referral mechanism existed between labor authorities and social services. However, in 2020, research indicates that this reciprocal referral mechanism no longer exists. (71)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Bangladesh 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 publicly releasing criminal law enforcement information.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (83)	Unknown
Number of Investigations	Unknown (8)	Unknown
Number of Violations Found	Unknown (8)	Unknown
Number of Prosecutions Initiated	Unknown (8)	Unknown
Number of Convictions	Unknown (8)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (40)	Yes (40)

In 2020, the government constituted and funded seven anti-trafficking in persons tribunals to handle human trafficking cases. The tribunals functioned virtually until August 2020 when in-person court hearings resumed. (51)

During the reporting period, some police accepted bribes to not check documentation that workers in registered brothels were older than age 18 and to procure falsified documents for workers, some as young as age 10. (39) In addition, the government did not provide specific information on criminal law enforcement efforts against child labor crimes for inclusion in this report. However, research has found a small number of cases during the reporting period in which police arrested brick kiln owners for alleged abuse of child workers. (85) The government also reported initiating prosecutions against 333 defendants for forced labor crimes and 184 defendants for alleged sex trafficking crimes in 2020, while continuing prosecutions against 340 defendants indicted in previous reporting periods. The government did not provide disaggregated information as to whether any of these cases involved child victims. (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 a lack of capacity to operate effectively.

**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. Chaired by MOLE, comprising officials representing relevant government ministries, international organizations, child advocacy groups, and employer and worker organizations. (86) In 2020, the Council visited multiple sectors, including shipbreaking (ship recycling), leather, and shrimp, to verify that child labor was absent, and educated employers about not using child labor. Findings about child labor-free sectors were to be announced in 2021. (31) Although meetings were held quarterly during the reporting period, research found that the Council is not operating effectively. (71)
Counter-Trafficking National Coordination Committee, Ministry of Home Affairs (MOHA)	Coordinates the work of government agencies and international and local NGOs on international and domestic human trafficking, including child trafficking, through bi-monthly meetings. Oversees district counter-trafficking committees, which manage counter-trafficking committees for sub-districts and smaller administrative units. (79) However, some of the district and sub-district level counter-trafficking committees struggled to operate effectively during lockdowns associated with the pandemic. (14,31)
Rescue, Recovery, Repatriation, and Integration Task Force, MOHA	Coordinates efforts by the Governments of Bangladesh and India to rescue, recover, repatriate, and reintegrate victims of human trafficking, particularly women and children, between the two countries. Liaises with various ministries, government departments, NGOs, and international organizations that assist trafficked children. (14,60,87) However, the government lacks the capacity to track its citizens abroad, case management systems have not been developed, and the process to repatriate human trafficking victims is lengthy. (87,88) Research was unable to determine whether the Task Force was active during the reporting period.



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### 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 National Education Policy.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Plan of Action on the Elimination of Child Labor (2012–2025)	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. (89) During the reporting period, the Child Labor Central Monitoring Committee submitted a new draft plan of action to MOLE, and the government extended implementation of the National Plan of Action on the Elimination of Child Labor from 2021 to 2025. (2) Research has found that MOLE is not effectively coordinating the implementation of this policy. (2,51) Research has also found that, at local levels, corruption and a lack of legal understanding were obstacles in implementation. (31)
Seventh Five Year Plan (2016–2020)	Includes 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 stakeholders for effective rehabilitation, increasing working children's access to formal and non-formal learning, and providing livelihood support to poor households with children. (90) The Seventh Five Year Plan expired at the end of the reporting period and the government approved an Eighth Five Year Plan in December 2020. (2,31)
Domestic Workers Protection and Welfare Policy	Sets the minimum age for domestic work at 14 years; all children under age 18 require parental permission to engage in domestic work. (91) However, the policy is not legally enforceable until the legal framework is amended to reflect the revised policy. (92) In 2020, MOLE held public consultations with domestic workers, NGOs, and journalists to gather information before deciding whether to amend existing legislation or draft new legislation. MOLE, including the Secretary, also held awareness-raising workshops about the policy across the country for officials and citizens. (31)
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. (93,94) Led by MOHA. In 2020, MOHA continued to meet and solicit advice from civil society organizations regarding trafficking issues. (51) However, during the reporting period, research has found that many MOHA officials with responsibilities for coordinating government trafficking efforts transitioned to new government positions, leading to a loss of institutional knowledge and government momentum in implementing the National Plan of Action for Prevention and Suppression of Human Trafficking. MOHA authorities claimed the National Authority—an institution that would serve as a national supervisory body on combating trafficking in persons—was set up in 2020, but sources reported the National Authority body was neither active, nor funded. (51) In addition, research found that due to the pandemic, MOHA was prevented from convening consultative workshops with the trafficking in persons civil society collective as in previous years. (51)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (76)

The government has a National Education Policy that sets the compulsory age for free education through eighth grade (age 14). However, the government has yet to include child labor elimination and prevention strategies into the National Education Policy. (76)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, issues exist in these social programs, including lack of adequate 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 MOLE. Removed 90,000 children from hazardous labor in Phases I-III by providing informal and technical education, stipends, and awareness raising for employers and families. (40,95,96) Phase IV of the Elimination of Hazardous Child Labor program was delayed. (2,31)

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

Program	Description
Accelerating Protection for Children (2017–2021) <sup>†</sup>	Project funded by the government and UNICEF and implemented by the Ministry of Women and Children Affairs to provide life skills education, awareness, and self-protection techniques to adolescent girls and boys ages 10 to 19 years, and empower them as agents of social change to combat risks and protection issues like child marriage, child labor, reproductive health, and adolescent nutrition. In 2020, directly supported 118,722 adolescents and reached another 200,000 through digital platforms. (31)
Child Sensitive Social Protection in Bangladesh (CSPB) II <sup>†</sup>	Project implemented by the Ministry of Social Welfare's Department of Social Services with support by UNICEF to strengthen social services for street children engaged in child labor including protection from violence, abuse, and exploitation, safe accommodation; food; and education (non-formal and life skills). (31) In 2020, supported 2,000 street children in different urban locations and rescued 400 children from child labor through family reintegration and referral services, alternative care, and schooling using case management tools. Reached 20,000 children with psychosocial counselling and over 7,000 children with case management. (31)
Child Help Line 1098 <sup>†</sup>	Ministry of Social Welfare-implemented and UNICEF-supported 24-hour emergency hotline under the CSPB project. Connects children vulnerable to violence, abuse, and exploitation with social protection services. (71,98) During the pandemic, call agents received four times more calls than in other years. In 2020, the help line supported 180,000 children through information on child protection issues, rescue, and referrals. (31)
School Feeding Program <sup>†</sup>	Provides fortified biscuits to pre-primary and primary school children in high-poverty areas to encourage school attendance, as hunger and poverty are both drivers of child labor. The Ministry of Primary and Mass Education program serves 3 million children at 15,700 schools in 29 districts. (31)
Child Labor Improvements in Bangladesh (CLIMB) (2017–2021)	USDOL-funded project implemented by Winrock International that aims to build the capacity of civil society to more effectively detect and combat forced child labor and other labor abuses in the dried fish sector in Bangladesh. In 2020, this project provided direct relief to hundreds of families in response to the impact of the pandemic. (97) Additional information is available on the USDOL <a href="#">website</a> .

<sup>†</sup> Program is funded by the Government of Bangladesh.

<sup>‡</sup> The government had other social programs that may have included the goal of eliminating or preventing child labor. (51,99)

The Ministry of Labor and Employment is expected to conduct a national survey on child labor by 2021. (8)

Research has found that the government's social programs often align with the priorities of various funders, and lack coordination among relevant ministries to address the cross-cutting nature of child labor issues. (2) In addition, while Bangladesh has other hotlines beyond the Child Help Line 1098, including the 16357 DIFE hotline to report labor law violations, and the national 109 hotline to report violence against women and children, the number of complaints received through these hotlines related to child labor and the government responses to them are unknown. (71)

## 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	Amend the national law to reflect the amended Domestic Workers Protection and Welfare policy.	2018 – 2020
	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 – 2020
	Ensure that the types of hazardous work prohibited for children are comprehensive, in particular by including garment production and fish drying.	2016 – 2020
	Establish criminal prohibitions on the use of children for pornographic performances.	2015 – 2020
	Establish criminal prohibitions on the use of children in illicit activities, particularly in the production of drugs.	2015 – 2020
	Establish criminal prohibitions on the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that education is compulsory through eighth grade and is consistent with the minimum age for work.	2012 – 2020

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**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 reducing the length of time taken to assess penalties for child labor law violations and increasing penalties for child labor law violations to be an adequate deterrent.	2014 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Ensure that labor inspections are conducted unannounced and during overnight shifts.	2013 – 2020
	Create mechanisms for labor and criminal law enforcement to refer children involved in child labor to appropriate legal and social services.	2013 – 2020
	Ensure that law enforcement personnel are investigated, prosecuted, and convicted for falsifying age documents and accepting bribes to overlook age verification procedures, which contribute to offenses related to the worst forms of child labor, including the commercial sexual exploitation of children.	2019 – 2020
	Publish information related to criminal law enforcement, including training, the number of investigations, violations found, prosecutions initiated, convictions, and penalties imposed for violations related to the worst forms of child labor.	2012 – 2020
	Provide law enforcement with sufficient financial and technological resources to enforce violations involving human trafficking, forced labor, and the commercial sexual exploitation of children.	2014 – 2020
Coordination	Ensure that the National Child Labor Welfare Council is operating effectively.	2020
	Ensure that counter-trafficking committees are able to function, including with adequate funding, and that its efforts include monitoring and reporting.	2019 – 2020
	Effectively coordinate with the Rescue, Recovery, Repatriation, and Integration Task Force to ensure the timely repatriation of human trafficking victims.	2018 – 2020
	Ensure all coordinating bodies are able to carry out their intended mandates.	2020
Government Policies	Ensure that the National Plan of Action on the Elimination of Child Labor is transparently implemented.	2020
	Integrate child labor elimination and prevention strategies into the National Education Policy.	2014 – 2020
	Ensure that there is adequate funding for full implementation of the National Plan of Action for Prevention and Suppression of Human Trafficking, especially for measures protecting victims.	2020
	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2020
Social Programs	Implement programs that rehabilitate street children engaged in child labor and enroll them in school.	2020
	Provide sufficient education services for Rohingya refugee children, remove barriers to their school attendance, and implement programs to decrease their engagement in and subjection to child labor activities.	2017 – 2020
	Expand programs to address the scope of the child labor problem, including developing and implementing programs to address child labor in the informal garment, leather, and fish drying industries.	2016 – 2020
	Ensure that Phase IV of the Elimination of Hazardous Child Labor program is implemented.	2020
	Ensure that the Child Help Line and other help lines are operating effectively.	2020
	Publish activities undertaken to implement social programs to address child labor during the reporting period.	2020

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In 2020, Belize made minimal advancement in efforts to eliminate the worst forms of child labor. The National Child Labor Committee, along with its affiliates, validated the Protocol for Accompanied and Unaccompanied Minors, which outlines steps a labor inspector should take if one comes across a child laborer during an inspection. Moreover, the Terms of Reference for the new National Child Labor Policy were completed, but they have not yet been formalized in new legislation or regulation. Children in Belize are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in agriculture and construction. With the exception of some work categories that allow employment at age 14, 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 and does not appear to have programs to address child labor in agriculture, fisheries, or construction.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Belize are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in agriculture and construction. (1-4) Table 1 provides key indicators on children's work and education in Belize.

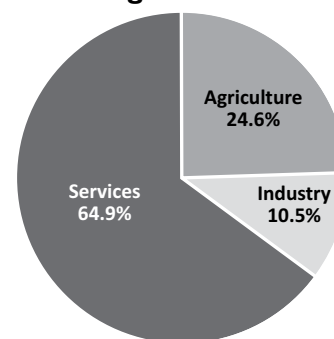
**Table 1. Statistics on Children's Work and Education**

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 (%)		102.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Activity Survey (SIMPOC), 2013. (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 beans, bananas, citrus fruits, cereals, corn, rice, sugarcane, papayas, and vegetables (2-4,7-12)
	Fishing, including for fish, lobster, and conch (2-4,7,8)
	Butchering or raising livestock, including poultry and cattle (7,8,13)
Industry	Construction, carpentry, masonry, wood carving, carrying heavy loads, and using power tools (2-4,7,8)
	Quarrying, including operating stone crushers (3,8,9)
Services	Street and retail vending (3,4,8)
	Yard work, including using lawnmowers, weed-eaters, and machetes (7,8,13,14)
	Sewing (8)
	Working and cooking in food service, including using large mixers and grills (4,7,8,13)

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

Sector/Industry	Activity
Services	Working in tourist sector, including in food and alcohol service and hospitality, and as tour guides, maintenance personnel, and security guards (2-4)
	Auto repair (7,8,13)
	Welding (8,13)
	Pumping gas (7,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,15,16)
	Use in illicit activities, including trafficking of drugs and weapons (2-4,8,17)

‡ 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. Although there is a plan to conduct a more thorough study under the Child Labor Secretariat and Inspectorate, the last known data available are from a 2010 study on child activity funded by the ILO. (2,3) 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. (2,4)

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. (3,7,8,14) Non-Mennonite children are also engaged in child labor on Mennonite-owned land. (10) Children working on Mennonite land often use dangerous tools like machetes, tractors, and plows, and work long hours in the sun without proper hydration. (4,10,14) 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. (2,3)

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. (2-4,8)

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. (3,15,16) Another trafficking trend in Belize is the "sugar daddy" phenomenon, in which a wealthy male offers to pay school fees, provide cash payments, or purchase groceries or gifts for a family in exchange for sexual favors from a young, usually female, family member. (18) Girls from impoverished communities and LGBTQI children are particularly vulnerable to commercial sexual exploitation and labor trafficking in Belize. (16,17,19) A limited number of sources 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. (2,3,14,17)




In Belize, primary and secondary education is tuition free up to age 14, but many children's access to education is hindered by the cost of school fees, textbooks, uniforms, and meals. (2,3,17,20,21) In 2020, approximately 60 percent of children benefited from a secondary school subsidy of \$150 per year toward education expenses. (4) Still, some Spanish-speaking children face language barriers at schools that provide instruction only in English. (10) In addition, Belize lacks qualified teachers, basic supplies, and facilities to educate children. (3)

## 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 (20,21)
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 (20,22)
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 (20,23)
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 (24-26)
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 (24-26)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 16 of the Defence Act (27)
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 (28,29)
Free Public Education	Yes		Article 70 of the Education and Training Act; Article 45 of the Education Act (28,29)

\* No conscription (27)

Belizean law does not conform to international standards because it sets the minimum age for employment at age 12. (20) However, the minimum legal age for work in wholesale and retail trade or business is set at age 14. (21) 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. (20)

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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. (20,22) Belizean law is inconsistent with international standards on light work, because the types of light work permissible for children have not yet been identified. (20,30) In 2020, the National Child Labor Committee's Legislative Review Sub-Committee expanded the hazardous work and light work list after consulting with stakeholders. (2,4) Although the hazardous work and light work list was originally drafted in 2018, legislative delays have impeded the government's efforts to enact and amend this or other legislation addressing child labor concerns. As of December 2020, the committee had not finalized its review. (2,4) A list of hazardous work prohibited for all children has not been adopted as law. (30,31)

In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education.

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. (24,25) 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. (24,31) Research could not determine whether laws prohibit the use of children in specific illicit activities, including the production and trafficking of drugs. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Rural Transformation, Community Development, Labor, and Local Government	Identifies cases and enforces laws related to child labor and hazardous child labor through its Labor Department. (9) During the reporting year, continued to implement the agenda items and maintain the curriculum of the Clear II project, which ended in 2019 and had provided the government with technical assistance to bring about meaningful reductions in child labor. (4)
Belize Police Department (BPD)	Investigates cases of commercial sexual exploitation and human trafficking through Sexual Offense and Family Violence Units. (3)
Ministry of Education, Culture, Science, and Technology	Investigates truancy offenses in schools and issues fines for these violations. (3,4,33)
Office of the Director of Public Prosecution	Prosecutes criminal offenses and quasi-criminal matters in court, including cases of commercial sexual exploitation and human trafficking. (4,13)
Child Labor Secretariat and Inspectorate	Identifies, coordinates, and reports on all child labor activities; collaborates with stakeholders to assist with the monitoring and enforcement of laws and policies that relate to child labor; and consults, educates, and raises awareness of child labor. Deals with all issues related to child labor and enables criminal authorities and social services to reciprocally refer children found in child labor. (3) After the situation has been assessed, relevant agencies get involved, such as the Department of Human Services and BPD. In 2020, the Child Labor Secretariat and Inspectorate Desk attended the Laureates and Leaders for Children virtual summit on "Fair Share for Children," which included training on the impact of the COVID-19 pandemic on marginalized children and the prevention of children working during the pandemic. (4,13)
Ministry of Human Development and Social Transformation, Department of Human Services	Receives referrals for child labor cases; trains immigration officials, labor inspectors, and BPD in making referrals; and handles human trafficking cases. (34) Provides victims with welfare services, including medical and social services and counseling assistance. (9)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Belize took actions to combat child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws, 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	2019	2020
Labor Inspectorate Funding	Unknown (3)	Unknown (4)
Number of Labor Inspectors	25 (3)	23 (4)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (20)
Initial Training for New Labor Inspectors	N/A (3)	Yes (4)
Training on New Laws Related to Child Labor	N/A (3)	N/A (4)
Refresher Courses Provided	Yes (3)	Yes (4)
Number of Labor Inspections Conducted	1,020 (3)	301 (4)
Number Conducted at Worksite	1,020 (3)	301 (4)
Number of Child Labor Violations Found	0 (3)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (3)	0 (4)
Number of Child Labor Penalties Imposed that Were Collected	0 (3)	0 (4)
Routine Inspections Conducted	Yes (3)	Yes (4)
Routine Inspections Targeted	Yes (3)	Yes (4)
Unannounced Inspections Permitted	Yes (3)	Yes (20)
Unannounced Inspections Conducted	Yes (3)	Yes (4)
Complaint Mechanism Exists	Yes (3)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (4)

In 2020, the National Child Labor Committee, the Child Labor Secretariat, and the Inspectorate Desk validated the Protocol for Accompanied and Unaccompanied Minors, which outlines steps a labor inspector should take if one comes across a child laborer during an inspection. (4,16,35) The protocol was developed in consultation with the Ministry of Human Development, Families, and Indigenous Peoples' Affairs, the Anti-Trafficking in Persons Council, and IOM. (4,16) In addition, the Labor Department coordinated with different government agencies to conduct Special Joint Child Labor Inspections in Corozal and Orange Walk districts in the agriculture and construction sectors. (4)

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. (2,4) 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. (2,8) In 2020, the number of inspections significantly decreased due to the COVID-19 pandemic. In addition, local NGOs report that the number of inspectors and funding is insufficient to conduct thorough and complete inspections, and that businesses in the Corozal Free Zones clear out their child workers prior to the inspectors' arrival, because unannounced inspections are difficult to implement. (4) 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. (2,36) Training is provided to new inspectors; however, funding is insufficient to address the inspectorate's full need throughout the year for refresher training on existing laws. (2)

Child labor complaints can be submitted to the Labor Department, the Belize Police Department, 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. (2,4)

### **Criminal Law Enforcement**

In 2020, 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.

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**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (3)	N/A (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (4)
Refresher Courses Provided	Yes (3,35)	Yes (4)
Number of Investigations	4 (1)	0 (4)
Number of Violations Found	0 (3)	0 (4)
Number of Prosecutions Initiated	0 (3)	0 (4)
Number of Convictions	0 (3)	0 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (3)	No (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (4)

In 2020, courts were closed due to the pandemic from March through November, with very few sentencing sessions held between November and December, and no convictions were made. Moreover, no new criminal investigators were hired during the reporting year. (4)

There have been only two human trafficking convictions in Belize since 2005, only one of which involved a minor. Although the country's laws allow for the imprisonment of violators, human trafficking cases are often dismissed by lower courts. (1,36) Belize lacks official statistics on child sex tourism, and criminal investigators, police officers, and labor inspectors lacks sufficient resources—such as vehicles, fuel, office supplies, and adequate training—to investigate violations of criminal law, including the worst forms of child labor. (1,14)

## 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 Child Labor Committee	Coordinates efforts among ministries to combat child labor and implement the National Child Labor Policy. Led by the Ministry of Rural Transformation, Community Development, Labor, and Local Government and 14 government and civil society members. (37,38) The Child Labor Secretariat and Inspectorate serves as the Secretary for the Committee. During the reporting period, consulted with stakeholders such as the Belize Sugar Industries and the Belize Chamber of Commerce and Industry to further refine and expand the hazardous and light work lists, but did not finalize the review as of December 2020. (4) The Committee distinguishes between children engaged in work that is beneficial to their development and those engaged in the worst forms of child labor. (35,39)
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 Chief Executive Officer of the Ministry of Human Development; includes 12 other government agencies and civil society organizations. (40) During the reporting period, the Council validated the Protocol for Accompanied and Unaccompanied Minors, in consultation with the National Child Labor Committee and the Child Labor Secretariat and Inspectorate Desk, the Ministry of Human Development, Families, and Indigenous Peoples' Affairs, and IOM. (4,16)
National Committee for Families and Children	Promotes, monitors, and evaluates Belize's compliance with its national and international commitments to children, including the UN CRC. (4) Implements the National Results Framework for Children and Adolescents 2017–2030, which is also referred to as the Children's Agenda. Collaborates with the Child Labor Secretariat and Inspectorate on special assignments and projects. (4,11,41,42) In 2020, began coordination of the Road Map To End Child Marriage and Early Unions in Belize, which includes activities to increase awareness of commercial sexual exploitation legislation. (43,44)

## 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. (45,46) Aims to strengthen government institutions and services and to train labor officers. (38,46) During the reporting year, the Terms of Reference for the new National Child Labor Policy were completed and submitted to stakeholders for comment, but have not yet been formalized in new legislation or regulation. (4)
CARE Model	Coordinates the protection, care, and monitoring of sexually exploited and trafficked children. Outlines the role of the Department of Human Services and BPD in receiving allegations of commercial sexual exploitation of children and referring children to services. (3) Research was unable to determine whether activities were undertaken to implement the CARE Model during the reporting period.
National Results Framework for Children and Adolescents (Children's Agenda) 2017–2030	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. (11,41,42) Raises awareness of the role of families in promoting early childhood education. (42) Research was unable to determine what activities took place to implement the National Results Framework for Children and Adolescents during the reporting period.
Road Map To End Child Marriage and Early Unions in Belize†	Increases awareness of commercial sexual exploitation legislation, particularly to protect children between the ages of 15 and 17 from exploitation. Coordinated by the National Committee for Families and Children, in partnership with UNICEF. (43,44)

† 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)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Building Opportunities for Our Social Transformation	Conditional cash transfer program established in 2011. Continues to be implemented in Belize City in areas with the highest reported incidents of child sexual exploitation. (3) Provides small cash assistance to poor households subject to specific conditions, such as minimum school attendance of 85 percent. The program seeks to prevent the commercial sexual exploitation of children by wealthy men who pay families for access to vulnerable children. (3) In 2020, received \$12.4 million from the World Bank to provide social assistance to poor and vulnerable households impacted by the pandemic. (48)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (49)

Research found no evidence of government programs to combat commercial sexual exploitation of children or to assist children working in agriculture, fisheries, or construction. (4) However, the government sponsored billboards specifically to combat child sex tourism at the international airport and at border crossing points. The government further participated in a multi-country program to identify and deny tourist entry to registered sex offenders. (50) During the reporting year, due to the pandemic and the change in government which occurred in November 2020, there were no new policies or programs created to address child labor. There were also no activities undertaken to expand funding and support for social programs. (4)

During the reporting year, teachers and education officials from eight public and private shelters received training on identifying human trafficking victims from the National Organization for the Prevention of Child Abuse and Neglect, which included staff from King's Children Home, Hopewell Children's Home, Liberty's Children's Home, Marla's Children's Home, Dorothy Menzies Child Care, Hope Haven Children's Home, Coral Grove Group Home, and 14 Miles Transitional Home. (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 Belize (Table 11).

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**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 compulsory education age.	2020
	Ensure that the minimum age for work is age 14 in all sectors.	2013 – 2020
	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 – 2020
	Ensure that the law prohibits all forms of commercial sexual exploitation of children ages 16 and 17.	2013 – 2020
	Ensure that laws prohibit the use of children in specific illicit activities, such as the production and trafficking of drugs.	2013 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
Enforcement	Publish complete information on enforcement efforts to combat child labor, including labor inspectorate funding.	2020
	Ensure that law enforcement agencies have sufficient resources, including vehicles, fuel, and inspectors, to conduct labor inspections and criminal investigations.	2009 – 2020
	Ensure that the level of inspections and penalties are sufficient to deter child labor law violations.	2018 – 2020
	Implement and fund adequate training systems for inspectors and criminal investigators, including on the worst forms of child labor.	2018 – 2020
	Prosecute and impose criminal penalties for the worst forms of child labor, and ensure that courts hear and try human trafficking cases.	2017 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2020
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 – 2020
	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 – 2020
	Implement programs to address commercial sexual exploitation of children and programs to assist children working in agriculture, fisheries, and construction.	2019 – 2020

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In 2020, Benin made moderate advancement in efforts to eliminate the worst forms of child labor. The labor inspectorate nearly tripled the number of inspections conducted over the previous year, and the government passed legislation increasing the minimum age for apprenticeships from age 14 to 15. Moreover, the National Monitoring and Coordination Working Group for Child Protection met for the first time since 2017. However, children in Benin are subjected to 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, especially for children with disabilities. In addition, the government did not publicly release information on some of its 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 are subjected to 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. 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	24.7 (unknown)
Attending School (%)	5 to 14	67.9
Combining Work and School (%)	7 to 14	16.8
Primary Completion Rate (%)		64.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2017–2018. (5)

These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, and age range surveyed.

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)
	Construction, including brickmaking† (8)
Services	Domestic work† (1,3)
	Working as mechanics† and in the transportation industry† (3,8)
	Street vending† (3,9,10)
	Dressmaking† and carpentry† (7)



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

Sector/Industry	Activity
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 (1,8,12)
	Forced begging (13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (8,14)

† 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 trafficking 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 work in vending, agriculture, and mining. Children living in the northern regions of Benin are the most vulnerable to human trafficking. (1,3,13,15) Traditionally, under a practice known locally as *vidomègon*, children live with relatives or family friends and perform household services in exchange for educational opportunities. A majority of these children are girls, and many become victims of labor exploitation and sexual abuse. (1,3,13,16)




Evidence suggests that incidences of abuse, including corporal punishment and rape of students by teachers, hamper education access even though the government outlawed corporal punishment in 2015. (3,13,17) Children with disabilities also have especially limited access to the regular education system, and a lack of reliable transportation forces some children to walk long distances to school. (16,18-20) In rural areas, children are often unregistered due to parents' limited understanding of the 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. (3,18,21,22)

During the reporting period, the government continued to conduct the Administrative Census for the Identification of the Population, an effort to comprehensively collect personal data on all Beninese citizens, including newborns and children, to create a national digital database and issue national biometric identification cards. Each registered Beninese citizen will be issued a biometric card bearing a unique identification number to be used for civil and administrative purposes. (23) The Directorate of Civil Registration, with the assistance of UNICEF, ran a project that permitted the issuance of birth certificates during routine vaccinations. The effort allowed 10,171 children whose births were registered in hospitals to get their birth certificates. (23)

## 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 a minimum age for work that is lower than the age for compulsory education.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 166 and 301 of the Labor Code; Article 210 of the Child Code (24,25)
Minimum Age for Hazardous Work	Yes	18	Articles 210 and 353 of the Child Code; Article 1 of the Hazardous Occupations List (25,26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations List (26)
Prohibition of Forced Labor	Yes		Articles 3 and 303 of the Labor Code; Articles 212 and 353 of the Child Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors (24,25,27)
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 (24,25,27,28)
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 (25,27–29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 212 and 353 of the Child Code; Article 4 of the Law Relating to the Transportation and Trafficking of Minors (25,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of Law 2005-43 (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 6 of Law 2005-43; Title II, Article 32 of the Constitution (30,31)
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 (27)
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 (29,32)
Free Public Education	Yes		Article 13 of the Constitution; Article 114 of the Child Code (25,31)

On February 26, 2020, Decree (*Arrêté*) no. 012 was passed, which increased the minimum age for apprenticeships from age 14 to age 15 in both the formal and informal sectors. (33) 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. (7,27)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**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. (11,35) Refers cases of child labor to Social Promotion Centers ( <i>Centres de Promotion Sociale</i> or CPSs). (22) In 2020, MOLCS, with the support of UNICEF, organized a meeting with ministries involved in child labor prevention to discuss ways to curb child labor in sectors in which it is most prevalent. (23)
Ministry of the Interior and Public Security	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. (36,37) Through OCPM, maintains a child trafficking database—Benin's Children ( <i>Enfants du Benin</i> )—to track and process child trafficking cases, and implements standard operating procedures that seek to improve the quality of services, harmonize police activities, and create a stronger working relationship between the police and other actors involved in child protection. In 2020, OCPM continued to expand local offices throughout the country and provide police with specific training for addressing abuses of children. (3) Through its vice squad (Brigade des Moeurs), the Ministry of the Interior and Public Security addresses human trafficking for sexual exploitation. (34) Although the government allocated a budget of approximately \$118,000 (70 million CFA) to OCPM in 2019, an increase of 34 percent from the previous year, the budget allocation for this reporting period is not yet available. (23)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Benin took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Civil Service 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	2019	2020
Labor Inspectorate Funding	\$207,000 (3)	\$200,000 (23)
Number of Labor Inspectors	35 (22)	35 (23)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (24)
Initial Training for New Labor Inspectors	Unknown (3)	No (23)
Training on New Laws Related to Child Labor	N/A (3)	No (23)
Refresher Courses Provided	No (3)	No (23)
Number of Labor Inspections Conducted	746 (3)	2,070 (23)
Number Conducted at Worksite	Unknown (3)	2,070 (23)
Number of Child Labor Violations Found	463 (3)	1,273 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (22)	0 (23)
Number of Child Labor Penalties Imposed that Were Collected	2 (22)	N/A (23)
Routine Inspections Conducted	Yes (3)	Yes (23)
Routine Inspections Targeted	Yes (3)	Yes (23)
Unannounced Inspections Permitted	Yes (3)	Yes (24)
Unannounced Inspections Conducted	Unknown (3)	Yes (23)
Complaint Mechanism Exists	Yes (3)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (23)

During the reporting period, officials conducted more than 2,000 inspections, a dramatic increase over the previous year. (23) This was due, in part, to the government decentralizing labor inspections and basing inspectors close to their designated inspection areas. Inspections were conducted in open-air markets, workshops, bars, restaurants, and other worksites. (23) Furthermore, UNICEF provided additional financial support that contributed to the increased number of inspections. (38) The inspection teams observed 1,273 violations of labor standards and provisions related to child labor, including failure to observe the minimum age of employment, lack of apprenticeship contracts, and poor hygiene and safety conditions. (23,39) However, the scope of labor law enforcement may not have been sufficient as there were no inspections conducted in the agriculture or mining sectors. (23) In addition to 35 full-time labor inspectors, the government has employed an additional 25 administrators and controllers to conduct labor inspections. (22)

The number of labor inspectors is likely insufficient for the size of Benin's workforce, which includes more than 3.5 million workers. According to 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. (40,41) Sources indicate that the labor inspectorate's continued lack of financial resources hampered its ability to conduct labor inspections. (3,11) At the departmental level, the government conducted labor inspections in marketplaces, workshops, bars, restaurants, and other places in which children are exploited. Nonetheless, the national level labor inspection team did not have funding to supervise any inspections completed at the departmental level. (23)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (3)	No (23)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	N/A (23)
Refresher Courses Provided	Yes (22,37)	No (23)
Number of Investigations	2 (3)	Unknown (23)
Number of Violations Found	Unknown (3)	Unknown (23)
Number of Prosecutions Initiated	Unknown (3)	Unknown (23)
Number of Convictions	2 (3)	Unknown (23)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (3)	No (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (3)	Yes (23)

The government has a mechanism to enable criminal authorities and social services to reciprocally refer children found in the worst forms of child labor and human trafficking, and civil servants regularly refer cases. The government also uses its child assistance hotline, which was launched in 2020, to refer cases of child labor, particularly those involving domestic servitude, because the hotline allows for anonymous tips. (23) The government did not provide information on its criminal law enforcement efforts regarding the number of investigations, the number of violations found, the number of prosecutions initiated, or the number of convictions for the purpose of this report. (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 coordination among agencies.

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

Coordinating Body	Role & Description
National Executive Committee to Combat Child Labor (Comite Directeur National de Lutte contre le Travail des Enfants, CDN)	Coordinates efforts to address child labor, falls under the jurisdiction of MOLCS, and includes delegates from ILO, UNICEF, trade unions, local NGOs, and other government ministries. (3) During the reporting period, CDN held a 3-day session, which was attended by 25 officials from government bodies, NGOs, trade unions, and employers' associations. Participants reviewed and approved a communications plan to fight child labor with a focus on the worst forms of child labor. (23) Participants also discussed the situation of child labor in Benin's open-space markets and new strategies to address it. (23)
National Monitoring and Coordination Working Group for Child Protection (CNSCPE)	Established by decree in 2006 and chaired by the Ministry of Social Affairs and Microfinance's Secretary General. Includes five technical committees: (1) trafficking and exploitation, (2) juvenile justice, (3) violence against children, (4) orphans and vulnerable children, and (5) early childhood. (23) Each committee has an action plan and may propose other activities to CNSCPE. Has 40 members drawn from various organizations involved with children's issues, including government ministries, NGOs, donor agencies, and international and bilateral technical partners. In June 2020, CNSCPE met for the first time since 2017. (23)



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

Coordinating Body	Role & Description
Inter-Ministerial Task Force to Combat Trafficking in Persons	Coordinates government efforts to address trafficking in persons through five committees: (1) prosecution, (2) prevention and protection, (3) statistics, (4) intellectual, and (5) policy. Led by the Ministry of Planning and Development and includes representatives of other key ministries and NGOs. (23,37,42) This Inter-Ministerial Task force did not meet in 2020. (23,42)
Ministry of Social Affairs and Microfinance	Offers social assistance and social support services to vulnerable populations and is the lead agency for child protection in Benin. (23,35) Through its Office of Family, Childhood, and Adolescence, provides assistance to trafficking victims by means of 85 CPS across the country. (7,12,22) Through the Family and Child Monitoring Office, maintains a database on child trafficking. (12) In 2020, the Ministry of Social Affairs and Microfinance continued to assist foreign trafficking victims, predominantly minors, before repatriating them to their home countries. (15)

Research found that there is a lack of effective coordination among agencies responsible for addressing the needs of vulnerable children. (3,22,23)

## 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 incorporating and implementing 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: (1) strengthening the legislative and institutional framework related to child labor; (2) information, awareness, and social mobilization; (3) education and training; (4) victim monitoring, protection and referral; (5) inspection and suppression; (6) institutional mechanisms, and monitoring and evaluation of the plan. (23) No action was taken to further this policy during the reporting period. (39)
Cooperative Agreement to Combat Cross-Border Trafficking	Aims to protect migrant children and victims of trans-border human trafficking. On December 23, 2019, the Government of Benin signed a tripartite cooperative agreement with Burkina Faso and Togo committing to cooperate and assist each other in the investigation of human trafficking offenses. (3) On January 7, 2020, 14 law enforcement and government officials from Benin and Togo, with the support of international partners, held a 2-day session in Grand-Popo, Benin, to share experiences and discuss the challenges they face in fighting human trafficking in the two countries. Participants developed a Joint Strategic Actions Paper to strengthen the mechanism in place for combatting cross border human trafficking. (39)
National Action Plan to Fight Trafficking in Persons (2020–2024)	Aims to eradicate human trafficking in Benin by strengthening governmental systems and institutional framework. (43,44) During the reporting period, the government provided resources to implement this policy; however, research showed that these resources were inadequate. (39,44)

† 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. (17)

The Education Sector Plan (2018–2030) aims to improve access to education, including targeted interventions for orphaned children and children outside of the formal education system. However, the Education Sector Plan does not incorporate child labor elimination and prevention strategies. (6,45)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 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†	CPS provide food, shelter, education, and vocational training to vulnerable children, including victims of labor exploitation, in 85 centers. (3) OCPM also operates an interim care facility for human trafficking survivors before their placement in a long-term shelter. (3,7) During the reporting period, the government reduced the available capacity of these shelters in response to the COVID-19 pandemic. However, the shelters continued to function and support child trafficking survivors. (23)
Government-Funded Retraining Centers†	MOLCS, with the assistance of UNICEF, maintains a vocational school program to train survivors of child trafficking in a trade. (46) During the reporting period, UNICEF continued to fund and implement the program in which survivors of child abuse, including child trafficking and exploitation, are schooled or trained in a trade through a program called Second Chance School ( <i>Ecole de Seconde Chance</i> ). (39)
Integrated National School Feeding Program (2017–2021)†	\$87 million Government of Benin-funded program managed by the World Food Program. (47) In 2020, the program covered 3,995 schools across Benin and helped reduce the number of school dropouts. (23)
McGovern–Dole International Food for Education and Child Nutrition Program (2019–2023)	U.S. Department of Agriculture-funded project implemented by Catholic Relief Services in the Alibori and Borgou regions. Aims to improve the literacy and attendance of school-age children, improve the health and dietary practices of students, and increase government capacity of and investment in school meal programs. (48) In 2020, the Government of Benin continued to fund the largest portion of this program. (23,49)
Rapid Pro	In November 2018, the government and UNICEF launched a platform (Rapid Pro) to allow parents to declare births through SMS text message, sparing parents the challenges related to the issuance of birth certificates. In 2020, the program registered the births of 1,679 children less than 1 year old. (23)

† 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. (11,50-52)

Although the Government of Benin has implemented programs to protect children from human trafficking, 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, and agriculture. (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 Benin (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 – 2020
	Create meaningful penalties for the transport and trafficking of minors and crimes involving labor exploitation.	2014 – 2020
Enforcement	Provide initial training and refresher courses on child labor for labor inspectors and criminal law enforcement officials.	2013 – 2020
	Increase financial resources to enforce laws against child labor.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Conduct inspections in sectors that have the highest incidence of child labor, such as in agriculture and mining.	2019 – 2020
	Publish criminal law enforcement data as it relates to the worst forms of child labor, including the number of investigations, violations found, prosecutions initiated, number of convictions, and whether penalties were imposed for violations related to the worst forms of child labor.	2009 – 2020
Coordination	Ensure that coordinating bodies meet and report their activities, including the Inter-Ministerial Task Force to Combat Trafficking in Persons.	2017 – 2020
	Ensure effective coordination among agencies on procedures and social services for abused and vulnerable children.	2019 – 2020
Government Policies	Ensure that existing policies addressing child labor are implemented as intended including the National Action Plans against both the Worst Forms of Child Labor and Trafficking in Persons.	2018 – 2020
	Ensure that child labor elimination and prevention strategies are integrated into the Education Sector Plan.	2010 – 2020

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Increase access to education by 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 – 2020
	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 – 2020

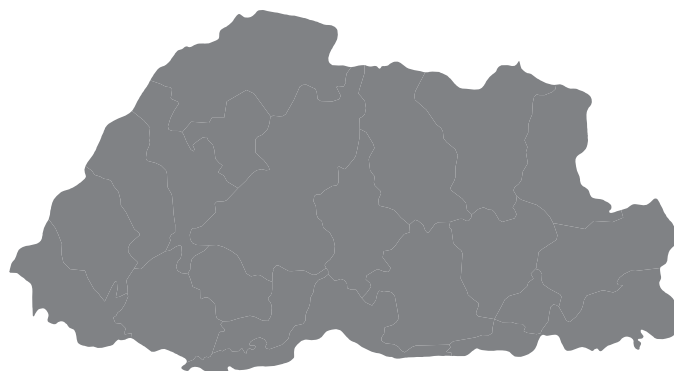
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In 2020, Bhutan made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the Bhutanese Parliament passed the Penal Code (Amendment) Act of Bhutan 2021, which amended the legal definition of human trafficking to make the legislation consistent with international standards for adults, but it still includes the necessity of force, fraud, or coercion in child trafficking cases. The National Commission for Women and Children developed an internal Child Safeguarding and Protection Policy to promote and protect children from abuse and exploitation. However, although research is limited, there is evidence that children in Bhutan are subjected to the worst forms of child labor, including in forced domestic work, 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. The government did not publicly release information on its labor law enforcement and criminal law enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Bhutan are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1-3) 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 (%)		100.0

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. (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, activities unknown (6)
Industry	Construction, † activities unknown (7)
Services	Domestic work (6,8)
	Work in hospitality services (6,8)
	Work in restaurants and automobile workshops (8)
Categorical Worst Forms of Child Labor ‡	Forced domestic work, sometimes as a result of human trafficking (6,8,9)
	Forced labor in karaoke bars, sometimes as a result of human trafficking (8)
	Use in illicit activities, including the smuggling of tobacco (10)

† 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. Media outlets have reported instances of child labor in Bhutan's restaurants and automobile workshop industries, some of which had indicators of forced labor. Traffickers have also exploited Indian child domestic workers in Bhutan. (8, 11)

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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 from nomadic communities and migrant populations, and children with disabilities face significant difficulties in accessing public schools. (2,9,12,13) Although they have access to primary education, a small number of children who are stateless lack access to the documentation necessary to enroll in higher education, making them more vulnerable to child labor and trafficking. (6,8,11) During the COVID-19 pandemic-related school closures in 2020, the Ministry of Education delivered lessons through television and radio, online learning, and mass distribution of self-instructional materials. (6)

## 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; Regulation on Working Conditions 2012: Acceptable Forms of Child Labor (14,15)
Minimum Age for Hazardous Work	Yes	18	Sections 170–171 of the Labor and Employment Act (14)
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 (14,15)
Prohibition of Forced Labor	Yes		Sections 6 and 9(a) of the Labor and Employment Act; Sections 154 and 379 of the Penal Code; Section 221 of the Child Care and Protection Act (14,16,17)
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 154 and 379–380 of the Penal Code (14,16-18)
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 (14,16,17)
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 (14,16)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Defense Service Rules and Regulations (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		

**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		Section 9(a) of the Labor and Employment Act (14)
Compulsory Education Age	No		
Free Public Education	Yes		Article 9.16 of the Constitution of the Kingdom of Bhutan (20)

\* No conscription (19)

During the reporting period, the Bhutanese Parliament passed the Penal Code (Amendment) Act of Bhutan 2021, which amended the legal definition of human trafficking to make the legislation consistent with international standards for adults, but it still includes the necessity of force, fraud, or coercion in child trafficking cases. (6,18,21-23)

The minimum age for work is not compliant with international standards because the Labor and Employment Act allows children under age 14 to work. (14) Education is not compulsory in Bhutan, which may increase the risk of children's involvement in child labor. (6,24)

Although the Government of Bhutan reports that the minimum age for voluntary recruitment into Bhutan's military is age 18, the relevant Defense Service Rules and Regulations were not available for public review. (19,25)

### 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 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, Ministry of Labor and Human Resources	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) Regularly inspects companies for compliance with the Labor and Employment Act. Regulations on working conditions cover issues related to child labor, wages, worker compensation, the recruitment process for foreign workers, grievance procedures, penalties, and hours of work. (21) Foreign workers are required to pay fees for work permits and medical checkups. The regulation of work conditions is currently under review with technical support from the World Bank. (21)
Royal Bhutan Police	Investigate and enforce criminal laws relating to the worst forms of child labor. Include 3 Women and Child Protection Units and 10 Women and Child Protection Desks to enforce laws protecting women and children. (6,9) Refer abused and exploited children to child welfare officers and the National Commission for Women and Children. (6,17)
Child Justice Court	Adjudicates criminal and civil cases involving child labor. (6,17)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Bhutan took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Human Resources 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	2019	2020
Labor Inspectorate Funding	Unknown (2)	Unknown (6)
Number of Labor Inspectors	35 (2)	Unknown (6)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (14)

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

Overview of Labor Law Enforcement	2019	2020
Initial Training for New Labor Inspectors	Yes (2)	Yes (6)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (2)	Unknown (6)
Number of Labor Inspections Conducted	2,711 (2)	Unknown (6)
Number Conducted at Worksite	2,711 (2)	2,350 (26)
Number of Child Labor Violations Found	0 (2)	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	Unknown (6)
Routine Inspections Conducted	Yes (2)	Yes (6)
Routine Inspections Targeted	Yes (2)	Yes (6)
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (2)	Yes (6)
Complaint Mechanism Exists	Yes (2)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (6)

The Department of Labor has not released its annual report with labor law enforcement information for the reporting period. (26) Although improvement notices and penalty memoranda were issued based on inspections, no child labor violations were reported because data were not disaggregated by child labor offenses. (6) Department of Labor officials acknowledged that limited financial and human resources place constraints on the number of inspections conducted and inspectors employed. (2)

While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Bhutan would need to employ roughly 10 labor inspectors as its workforce consists of over 397,900.

According to a Bhutanese Government official, additional training is needed for labor inspectors, in addition to the initial training for all new labor inspectors. (6)

### **Criminal Law Enforcement**

In 2020, 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 a lack of data on criminal law enforcement efforts.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (2)	Unknown (6)
Number of Investigations	Unknown (2)	Unknown (6)
Number of Violations Found	2 (2)	Unknown (6)
Number of Prosecutions Initiated	1 (2)	0 (26)
Number of Convictions	2 (2)	1 (25)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Yes (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (6)

A woman who brought a child to Bhutan from India as a domestic worker was convicted in 2019 of illegal transportation; however, the Bumthang Dzongkhag Court dismissed the child trafficking charges. During the reporting period, the Office of the Attorney General, in collaboration with the Royal Bhutan Police, National Commission of Women and Children, and local NGO Respect, Educate, Nurture, and Empower Women, appealed the case to be prosecuted as a human trafficking and child abuse case. (6)



The government does not publicly release information on criminal law enforcement efforts. (6)

### 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
Child Labor Task Force	Coordinates government efforts on child labor across multiple government agencies and ministries. Led by the Department of Labor, Ministry of Labor and Human Resources, and comprises representatives from government, international organizations, civil society, and the private sector. (27,28) Research was unable to determine whether the Child Labor Task Force was active during the reporting period.
National Commission for Women and Children	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, NGOs, and the private sector. (29) During the reporting period, the Commission developed an internal Child Safeguarding and Protection Policy to promote and protect children of Bhutan from abuse and exploitation, and held a 1-day orientation program in Thimphu on the policy to relevant stakeholders, including the Royal Bhutan Police. (30)
Trafficking in Persons Special Task Force	Coordinates anti-trafficking in persons efforts, including monitoring human trafficking trends in Bhutan and advising national policy on human trafficking. Headed by the Department of Law and Order, with participation from other relevant government agencies and civil society organizations. (2) Research found that the Task Force was unable to meet during the reporting period because of government shutdowns and the secondment (a job rotation from one organization to another) of some members to national pandemic response operations. (21)

### V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor. (6)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 adequacy of programs to address the problem in all sectors.

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
Shelters for Vulnerable Women and Children†	Includes Project Hope, a National Commission for Women and Children program that provides residential shelters for children at risk of labor exploitation. In 2019, the program was transferred to Respect, Educate, Nurture, and Empower Women (RENEW) as part of its shelter program. RENEW, a Thimphu-based NGO that receives government funding, provides shelter, counseling, and rehabilitation for women and children who have been victims of human trafficking. (2) The Nazhoen Lamtoen Children Half Way Home also provides shelter, counseling, and support services to children, in part through government funding. (26,31) During the reporting period, RENEW provided housing and counseling to a child who was allegedly a victim of human trafficking from India to Bhutan as a domestic worker, and supported the appeal of her case in court. (6)
Promoting Rights-Based Multi-Sectoral Responses to Prevent Trafficking in Persons in Bhutan (2019–2022)	\$750,000 program funded by the USDOS Trafficking in Persons Office and implemented by UNODC to improve Bhutanese police investigation skills regarding human trafficking cases, improve information sharing, and implement the government's Standard Operating Procedure for Multi-Sectoral Response to Address Trafficking in Persons in Bhutan (TIP SOP). (2) During the reporting period, UNODC conducted two trainings on the TIP SOP with immigration officials. (6)

† Program is funded by the Government of Bhutan.

Although the Government of Bhutan has implemented programs that target children at risk of labor exploitation, research found that these programs do not adequately target children working in agriculture or domestic service, or children involved in the worst forms of child labor, including in forced domestic work.

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### 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 – 2020
	Ensure that laws on child labor comply with the international standard for the minimum age for work.	2010 – 2020
	Make primary education compulsory and ensure that the compulsory age for education extends to the minimum age for employment.	2010 – 2020
	Criminally prohibit child trafficking without needing proof of the use of force, fraud, or coercion.	2018 – 2020
	Make publicly available the legal statute that prohibits the recruitment of children under age 18 into Bhutan's military.	2018 – 2020
Enforcement	Publish labor law enforcement data, including the amount of funding for the labor inspectorate, the number of labor inspectors, whether labor inspectors received training on new laws related to child labor, whether new and veteran labor inspectors received refresher training, the number of labor inspections conducted in total and at worksites, the number of violations found, the number of violations for which penalties were imposed, and the number of penalties imposed that were collected.	2017 – 2020
	Ensure that the Department of Labor has the resources necessary to enforce labor laws and combat child labor.	2014 – 2020
	Ensure that labor inspectors receive adequate training to carry out their duties.	2020
	Ensure the number of labor inspectors in Bhutan meets the ILO's technical guidance.	2020
	Ensure that labor law enforcement investigation data are disaggregated by labor violation type to better target, prevent, and eliminate child labor.	2019 – 2020
	Publish criminal law enforcement information, including initial training for new criminal investigators, training on new laws related to the worst forms of child labor, refresher courses provided to criminal investigators, the number of investigations conducted, and the number of violations found.	2010 – 2020
	Ensure that all coordinating bodies to combat child labor are active and able to fulfill their mandate.	2019 – 2020
Coordination	Ensure that all coordinating bodies to combat child labor are active and able to fulfill their mandate.	2019 – 2020
Government Policies	Adopt a comprehensive policy or national action plan that eliminates the worst forms of child labor and includes child labor prevention strategies.	2014 – 2020
Social Programs	Conduct a national child labor survey, including research to determine child labor activities in farming and construction, and publish the results.	2013 – 2020
	Implement programs to make education more accessible for children living in remote locations, children from nomadic communities and migrant populations, children with disabilities, and children who are stateless.	2014 – 2020
	Create social programs targeting working children, particularly in agriculture, and children engaged in the worst forms of child labor, including commercial sexual exploitation and forced domestic work.	2009 – 2020

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In 2020, Bolivia made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved a resolution allowing Venezuelan minors without identification documents or with expired documents to regularize their immigration status, enabling them to access the educational system. The Office of Women and Family in the municipality of Tarija began a project with the Ministry of Labor to create a list of children working in the streets and reintegrate this population into their families and schools. In addition, the Attorney General announced the formation of department-level special prosecutor offices dedicated to pursuing crimes of human trafficking and smuggling and installing special prosecutors with greater knowledge of these crimes. Finally, under the Juancito Pinto Program, more than 2.3 million participating students received \$73 million in aid to encourage school retention in primary and secondary schools. However, children in Bolivia are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and mining. Children also perform dangerous tasks in agriculture, including in the production of sugarcane. 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 are subjected to the worst forms of child labor, including commercial sexual exploitation, sometimes as a result of human trafficking, and mining. (1) Children perform dangerous tasks in agriculture, including through the production and harvesting of sugarcane. (2) Table 1 provides key indicators on children's work and education in Bolivia.

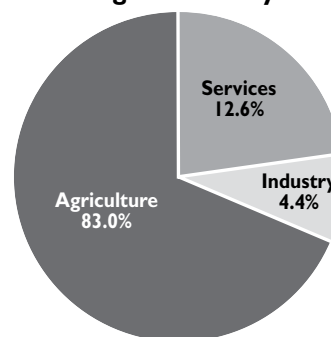
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	19.4 (467,874)
Attending School (%)	5 to 14	74.2
Combining Work and School (%)	7 to 14	16.9
Primary Completion Rate (%)		91.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Niñas, Niños y Adolescentes (ENNA), 2019. (4)

**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.



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**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)
	Ranching and raising cattle† and plucking chickens (1,2,6-8)
Industry	Mining† of gold, silver, tin, and zinc (2,9,10)
	Construction,† including heavy lifting and shoveling (1,2,6)
	Production of bricks† (1,2)
Services	Street vending, juggling, shoe shining, and assisting transportation operators (2,6,11,12)
	Cleaning cemeteries (grave sites) (9,11-13)
	Domestic work (2,6,14)
Categorical Worst Forms of Child Labor‡	Forced labor in ranching, and in the production and harvesting of Brazil nuts and sugarcane (14,15)
	Forced begging, and forced labor in mining and domestic work (1,2,6,7,14-16)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,6,17,18)
	Use in illicit activities, including robbery and producing or transporting drugs (7,14,15)

† 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.

Indigenous children are particularly vulnerable to the worst forms of child labor. Some indigenous Guaraní families have been forced into labor in the harvest of sugarcane. (15) In Tarija, the sugarcane and Brazil nut harvest seasons attract over 3,000 internal migrants—many of them children—who are vulnerable to forced labor and human trafficking. (15)




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. (15) Girls, on average age 14, were found to be subjected to commercial sexual exploitation, including sex trafficking, in El Alto. (2,6) Research indicates that the commercial sexual exploitation of Bolivian children thrives due to the strength of the legal sex industry in Bolivia, the persistence of poverty, cultural norms that contribute to the denigration of women and girls, and the demand for child sex tourism. (2,6,18) Bolivian children are also subjected to commercial sexual exploitation, including sex trafficking, and forced labor both within the country and abroad. (14) Research found that young females age 13 to 17 were increasingly being targeted for trafficking through cyber recruitment. (19) 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. (6)

Bolivian law requires children to attend school up to age 17. (20,21) Attendance rates for secondary education remain low in rural areas. (6) As a result of the COVID-19 pandemic, the government suspended in-person schooling in March of 2020 and initially announced a plan to end the school year and automatically advance students to the next grade level. This plan was later modified and the government committed to a hybrid learning model utilizing a mix of in-person, virtual, and television and radio instruction. (2) In January 2020, the government approved a resolution allowing Venezuelan minors without identification documents or with expired documents to regularize their immigration status. This would allow these children access to the Bolivian education system. (2,22)

## 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 the worst forms of child labor, including compulsory recruitment by State military.

**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 (23-26)
Minimum Age for Hazardous Work	Yes	18	Articles 58–59 of the General Labor Law; Articles 5 and 136 of the Child and Adolescent Code (23,24)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 136 of the Child and Adolescent Code (24)
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 (20, 27,28)
Prohibition of Child Trafficking	Yes		Article 15 of the Constitution; Article 34 of the Comprehensive Law against Human Trafficking and Smuggling (20,28)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 34–35 of the Comprehensive Law against Human Trafficking and Smuggling; Articles 281 bis, 32, 321 bis, 322, and 323 bis of the Penal Code (28,29)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 48, and 56 of the Law on Coca and Controlled Substances (30)
Minimum Age for Voluntary State Military Recruitment	Yes	16*	Articles 2 of the General Directive of Pre-Military Recruitment; Articles 2 and 7 of the Law of National Military Service (31,32)
Prohibition of Compulsory Recruitment of Children by (State) Military	No		Articles 108 and 249 of the Constitution; Article 1 of Supreme Decree No. 1875; Article 1 of Supreme Decree No. 21479 (20,33,34)
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 (20,21)
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 (24,20,21)

\* The minimum age for combat is 18 per Article 36 of the Law of National Military Service (31)

‡ Age calculated based on available information (20,21)

Although legislation was passed in 2018 to clarify the minimum age for work in Bolivia as 14, because the minimum age for work is still lower than the compulsory education age, children may be encouraged to leave

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school before the completion of compulsory education. (24,26) The Child and Adolescent 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. (26)

Although Bolivian law requires employers to grant apprentices time necessary to attend school, it does not set a minimum age for participation in apprenticeships. (23) Articles 108 and 249 of the Constitution require Bolivian males to perform compulsory military service in accordance with national law. (20) Article I 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. (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 enforcement agencies 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 and addresses forced labor of indigenous peoples. Refers cases to the Labor Courts for adjudication of penalties and unpaid wages. (2) Engages municipal Offices of the Child Advocate to ensure the protection of children's rights. (1,35) Assists in the implementation of the Child and Adolescent Code. (1,24)
Municipal Offices of the Child Advocate	Authorize children from the age of 14 to engage in work and register them in the government's Child and Adolescent Information System (SINNA), pursuant to the Child and Adolescent Code. Protect the rights and welfare of children, including by accompanying child labor inspectors and referring criminal child labor cases to prosecutors and for social services. (1,24) SINNA is administered by the Ministry of Justice and Transparency. (24,26)
Prosecutor's Office	Enforces criminal laws against forced labor, trafficking of children, commercial sexual exploitation, and the use of children in illicit activities at the departmental level in coordination with the Attorney General. (1,36) The Attorney General's Office (AGO) oversees the investigations and prosecutions at the national level. The AGO's National Coordinator's Office oversees regional prosecutors who, in conjunction with the Bolivian National Police, pursue cases of human trafficking and maintain a database of these cases. (36)
Bolivian National Police	Maintain the Special Force in the Fight Against Crime, which runs the Trafficking in Persons Division, made up of 15 investigative human trafficking units and the Police Unit for Migratory Control and Assistance, which patrols national borders. (37)

In 2020, the Office of Women and Family within the municipality of Tarija began a project with the Ministry of Labor (MOL) to create a list of children working on the streets and utilize a multidisciplinary team to reintegrate this vulnerable population into their families and schools. A UNICEF representative estimated that approximately 80 percent of child workers in Tarija suffered some sort of physical violence during their experience working on the streets. (2)

Following the 2018 amendment of the Child and Adolescent 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. (1,26) 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. (15)

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. (15)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Bolivia 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	2019	2020
Labor Inspectorate Funding	\$144,665 (6)	Unknown (2)
Number of Labor Inspectors	102 (6)	71 (2)
Inspectorate Authorized to Assess Penalties	No (6)	No (2)
Initial Training for New Labor Inspectors	Yes (6)	Yes (2)
Training on New Laws Related to Child Labor	N/A (6)	N/A
Refresher Courses Provided	Unknown (6)	No (2)
Number of Labor Inspections Conducted	145 (6)	Unknown (2)
Number Conducted at Worksite	Unknown (6)	Unknown (2)
Number of Child Labor Violations Found	Unknown (6)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (2)
Routine Inspections Conducted	Yes (6)	Yes (2)
Routine Inspections Targeted	Yes (6)	Yes (2)
Unannounced Inspections Permitted	Yes (6)	Yes (2)
Unannounced Inspections Conducted	Yes (6)	Yes (2)
Complaint Mechanism Exists	Yes (6)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (2)

Due to changes in administration personnel following the 2020 presidential elections, figures regarding inspectorate funding were not available for inclusion in this report. Furthermore, the pandemic and subsequent budget cuts severely limited inspection operations due to government restrictions on movement and the reduction of the number of inspectors. (2) The MOL indicated that by October, its mobile inspection units were again operational and were conducting an estimated 20 inspections per week, but total figures and disaggregated data were not available for inclusion in this report. (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. (38) The MOL reported that its budget was insufficient to conduct labor inspections. (2)

The MOL, Prosecutor's Office, and the Ministry of Justice do not have a consolidated database or systematized records of the number of violations found related to child labor. (1,6)

The government reported that children removed from child labor are referred to the municipal Offices of the Child Advocate for services, but information on the number of children referred for services is not publicly available. (1,2,6) 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 Offices of the Child Advocate, this percentage has decreased over the last few years. (1,2)

### Criminal Law Enforcement

In 2020, 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 insufficient training.



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**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (2)
Refresher Courses Provided	Unknown (6)	Unknown (2)
Number of Investigations	Unknown (6)	Unknown (2)
Number of Violations Found	Unknown (6)	Unknown (2)
Number of Prosecutions Initiated	Unknown (6)	Unknown (2)
Number of Convictions	Unknown (6)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (6)	No (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (2)

In September 2020, the Attorney General announced the formation of department-level special prosecutor offices dedicated to pursuing crimes of human trafficking and smuggling and installing special prosecutors with greater knowledge of these crimes. From August 31 to September 11, the government, in cooperation with UNODC, provided virtual training to 48 of these new, specialized trafficking in persons prosecutors. (19)

However, the Government of Bolivia did not provide further data on criminal law enforcement efforts related to the worst forms of child labor for inclusion in this report. The Municipal Offices of Children and Adolescents, which hold the municipal Child's Advocate Offices, also completely closed during the pandemic, so prosecutions against child labor offenders largely stopped. (2)

Research has shown that children rescued from the worst forms of child labor are often not referred to social services providers because some cities lack shelters and other social services for children. (15,17,39,40) Shelters maintained by departmental governments are underfunded and child victims are 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. (17) 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. (15)

In addition, 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. (39)

## 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	Coordinates national enforcement efforts on child labor issues. Led by MOL, and includes the ministries of Justice, Education, and Planning, and several NGOs. (1) Although the Bolivian government continued to undertake activities through this coordinating body in 2020, research could not determine specific activities and their efficacy in addressing child labor. (2)
Plurinational System for the Comprehensive Protection of Children and Adolescents	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. (24) In coordination with the National Institute of Statistics, monitors and updates SINNA. Led by the Ministry of Justice. (24) Although the Bolivian government continued to undertake activities through this coordinating body in 2020, research could not determine specific activities and their efficacy in addressing child labor. (2)

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

Coordinating Body	Role & Description
Plurinational Council against Human Trafficking and Smuggling of Persons	Coordinates anti-trafficking efforts and implements national laws and policies on human trafficking and smuggling. (1,28,41) Chaired by the Minister of Justice and comprising eight ministries, the Public Advocate, and NGOs. (42) In cooperation with UNODC, the government led a series of virtual training sessions in August 2020 for government officials serving on the Council. The training reached 151 officials on the Council and focused on human trafficking prevention, protection, and prosecution. (19)
Department-Level Councils against Human Trafficking and Smuggling	Coordinate efforts of the Plurinational Council against Human Trafficking and Smuggling of Persons in Bolivia's nine departments. Comprising officials from the Special Force in the Fight Against Crime, MOL, the ministries of Migration and Education, the Human Rights Ombudsman's Office, and NGO representatives. (28,41) In 2020, in commemoration of "National Day against Human Trafficking," the departmental councils joined the Plurinational Council and UNODC to launch an informational campaign to raise public awareness on human trafficking crimes and encourage prevention. The campaign utilized digital platforms and social networks of public institutions and civil society to reach the public. (19)

On September 22, the government signed a memorandum of understanding with IOM to allow the implementation of a national information system to combat human trafficking. (19) The ILO determined that 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. (1,43) Reports also indicate that some of MOL's departmental sub-commissions on child labor have not been active, due in part to a lack of resources. (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 developing and 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)	Set goals for economic and social development including eliminating child labor. (44)
National Action Plan to Combat Trafficking and Smuggling of Persons (2015–2020)	Established eight lines of action drawn from the original five core areas of the Plurinational Policy to Combat Trafficking and Smuggling of Persons, including building capacity and coordination among criminal law enforcement agencies. (17,36) Although the plan was refined in 2016, an updated version awaits approval and publication. (6)

Research could not determine any activities undertaken to implement key policies related to child labor in 2020.

Bolivia's national policy for addressing child labor, the National Plan for the Progressive Eradication of Child Labor (2000–2010), expired in 2010. (45)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.

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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
<i>Juancito Pinto</i> 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. (46) The 2020 <i>Juancito Pinto</i> program provided \$73 million (504 million Bolivianos) directly to the more than 2.3 million participating students to encourage school retention in primary and secondary schools. (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. 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. (17) Although the government of Bolivia continued to support this program in 2020, research could not determine specific activities carried out. (2)
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. (43) Although the government of Bolivia continued to support this program in 2020, research could not determine specific activities carried out. (2)
Bolivian Foreign Trade Institute's Triple Seal Initiative‡	Initiative of the Department of Santa Cruz's Ministry of Labor. Collaborative effort with the Bolivian Institute of Standardization and Quality, UNICEF, and 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. (18) The project has led to the removal of over 5,000 children, or 95 percent of all child labor, from the sugarcane industry in the Department of Santa Cruz. (47) Although the government of Bolivia continued to support this program in 2020, research could not determine specific activities carried out. (2)
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. (35) Although the government of Bolivia continued to support this program in 2020, research could not determine specific activities carried out. (2)

† 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. (1,16,48,49)

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. (16) The *Juancito Pinto* subsidy program continues to expand and has been adequate in rural areas. However, reports indicate that the \$29 per year per student 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. (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 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 – 2020
	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 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Authorize the labor inspectorate to assess penalties for child labor, including its worst forms.	2015 – 2020
	Publish information on child labor law enforcement, including labor inspectorate funding, the number of inspections conducted at worksites, the number of child labor violations as a result of inspections, and the number of penalties imposed and collected.	2009 – 2020
	Ensure that inspectors receive refresher course trainings each year.	2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors responsible for enforcing laws on child labor to meet the ILO's technical advice.	2013 – 2020
	Provide sufficient funding to increase the Ministry of Labor's capacity to ensure the adequate enforcement of child labor laws.	2013 – 2020
	Ensure that there are systematized records or a consolidated database on the number of violations found related to child labor.	2019 – 2020
	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, that parents are assisted in registering their children for work, and that coordination of the provision of services to children who are removed from child labor, including its worst forms, occurs in each region.	2014 – 2020
	Ensure that Offices of the Child Advocate publicly report on the number of children referred for work authorizations and the number of children rescued from child labor and referred for social services.	2015 – 2020
	Publish information on training for criminal investigators, including whether they receive training on the worst forms of child labor and refresher training; the number of criminal child labor investigations, violations found, prosecutions initiated, and convictions.	2011 – 2020
	Ensure that penalties are imposed for violations related to the worst forms of child labor.	2020
	Ensure that there are sufficient shelters for victims of the worst forms of child labor and human trafficking throughout the country and that victims are not cast out of shelters due to fixed timelines.	2018 – 2020
	Provide sufficient 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. Address issues of high rotation among police, prosecutors, and judges as well as judicial backlog to ensure adequate prosecution.	2015 – 2020
	Coordination	Ensure that coordinating bodies report specific activities taken to address child labor throughout the year.
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 – 2020
Ensure that all Ministry of Labor departmental sub-commissions designed to combat child labor convene and receive sufficient resources to carry out their functions.		2014 – 2020
Ensure that all Department-Level Councils against Human Trafficking are fully operational as required by the Comprehensive Law against Human Trafficking and Smuggling.		2014 – 2020
Government Policies	Establish and implement a new national policy to address child labor.	2010 – 2020
	Ensure that all policies that address child labor are active and take actions each reporting period, including the Bolivian General Plan for Economic and Social Development.	2019 – 2020
	Approve and publish a national action plan to address the trafficking and smuggling of persons.	2019 – 2020
Social Programs	Expand national programs, especially those targeting children in rural areas, to increase secondary school attendance.	2010 – 2020
	Increase the <i>Juancito Pinto</i> subsidy to ensure that school children are able to cover the costs associated with attending school.	2014 – 2020
	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 – 2020
	Ensure that all social programs that address the worst forms of child labor are active and publish information on activities each reporting period.	2019 – 2020

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In 2020, Bosnia and Herzegovina made moderate advancement in efforts to eliminate the worst forms of child labor. The Council of Ministers adopted the 2020–2023 National Strategy to Combat Trafficking in Persons as well as the National Action Plan to combat trafficking. The Republika Srpska entity has adopted an anti-trafficking action plan, and cantonal governments have adopted several local action plans. The Government of Bosnia and Herzegovina improved victim access to social services by merging resources for domestic and foreign victims of human trafficking into one fund. The Republika Srpska entity amended the chapter on crimes against citizens' rights and freedoms in the Criminal Code by introducing forced begging, domestic servitude, and sexual exploitation as forms of trafficking to make trafficking prosecutions easier. It also strengthened sentences, which now mandate 3 to 20 years of imprisonment. However, children in Bosnia and Herzegovina are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Border police officers and social workers failed to properly identify unaccompanied migrant and refugee children as potential victims of human trafficking due to a lack of proper protocols. Furthermore, laws on the minimum age for work do not meet international standards because they do not apply to children who are self-employed or working outside of formal employment relationships.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Bosnia and Herzegovina (BiH) are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. (1-4) 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, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 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
Services	Street work, including vending and washing car windows (1-3)
Categorical Worst Forms of Child Labor‡	Forced begging and forced domestic work, each sometimes as a result of human trafficking (7-9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,7)
	Use in illicit activities, including for pickpocketing (1,2,4)
	Use in the production of pornography (1,2,9,10)

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

Street begging is the most common form of child labor in BiH. (2,7) Organized groups sometimes traffic children to lucrative locations, both domestically and internationally, in regional and EU countries, where they are forced to beg. (2,4,11-13) In 2020, BiH was part of a major migration transit corridor through the Western Balkans, with

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most new arrivals to the country coming from Bangladesh, Afghanistan, and Pakistan. (13,14)




Children in the largest minority group in BiH, the Roma, are vulnerable to the worst forms of child labor due to their difficulty in accessing education. The costs of school supplies and uniforms may be prohibitively expensive for some families. (8,15,16) Roma students also face discrimination from teachers, peers, and school administrators, which has resulted in a disproportionate number of Roma children being enrolled in schools for children with intellectual disabilities. (17) In addition, some Roma children lack birth registration documents, which are required to attend school in BiH. (8,9,18) Sources indicated that the government has not allocated enough financial resources for adequate implementation of inclusive education initiatives, particularly for students with disabilities. (1,7,18-20)

Schools in Republika Srpska (RS) deny the right for some Bosniak children to receive instruction in the Bosnian language; as a result, these children sometimes travel long distances to the Federation of Bosnia and Herzegovina (FBiH) to receive education in their language. (2,18,21) In addition, discrimination persists under the "Two Schools Under One Roof" practice between Bosniaks and Croats in FBiH. This practice creates obstacles for students who wish to attend schools other than those which match their ethnic identity and also enables ethnic discrimination in schools, which can lead to absenteeism. (2,18,21) Children with disabilities generally face barriers to access education, which may make them vulnerable to child labor. Although the number of school programs for children with disabilities is increasing, parents of such children sometimes receive insufficient support from the government, and some schools are unable to provide accommodations for the children's disabilities. (21)

## 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 is a democratic republic with a bicameral parliament. Governmental responsibilities lie with the state, the two entities of Bosnia and Herzegovina, Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS), and the self-governing Brčko District (BD). (19) The Government of Bosnia and Herzegovina has established laws and regulations related to child labor, at the state, entity, and district levels (Table 4). However, gaps exist in Bosnia and Herzegovina'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 (22)
	Republika Srpska (RS)	No	15	Articles 26–27 of the Labor Law of Republika Srpska (23)
	Brčko District (BD)	No	15	Article 10 of the Labor Law of Brčko District (24)
Minimum Age for Hazardous Work	FBiH	Yes	18	Article 57 of the Labor Law of the Federation of Bosnia and Herzegovina (22)
	RS	Yes	18	Articles 103 and 264 of the Labor Law of Republika Srpska (23)
	BD	Yes	18	Article 41 of the Labor Law of Brčko District (24)
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 (22)
	RS	Yes		Articles 70, 72, 103, and 264 of the Labor Law of Republika Srpska (23)
	BD	Yes		Articles 28, 41, and 111 of the Labor Law of Brčko District (24)
Prohibition of Forced Labor	Bosnia and Herzegovina (BiH)	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina; Article II of the Constitution of Bosnia and Herzegovina (25,26)
	FBiH	No		Articles 210a (2–3) of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (29)
Prohibition of Child Trafficking	BiH	Yes		Articles 185–186a of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	Yes		Articles 210a–211 of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	Yes		Article 198b of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 207 of the Criminal Code of Brčko District (29)
Prohibition of Commercial Sexual Exploitation of Children	BiH	No		Articles 186 and 187 of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	No		Articles 210–211 of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	No		Articles 198 and 198b–200 of the Criminal Code of Republika Srpska (28)
	BD	No		Articles 186 and 207–209 of the Criminal Code of Brčko District (29)
Prohibition of Using Children in Illicit Activities	BiH	No		Article 195 of the Criminal Code of Bosnia and Herzegovina (26)
	FBiH	Yes		Article 219 of the Criminal Code of the Federation of Bosnia and Herzegovina (27)
	RS	Yes		Articles 198b and 224 of the Criminal Code of Republika Srpska (28)
	BD	Yes		Article 216 of the Criminal Code of Brčko District (29)
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 (30)
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 (30)
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 (26)



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

Standard	Related Entity	Meets International Standards	Age	Legislation
Compulsory Education Age	FBiH	Yes	15‡	Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31)
	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 (31,32)
	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 (31,33)
Free Public Education	FBiH, RS, BD	Yes		Article 16 of the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina (31)

\* No conscription (30)

‡ Age calculated based on available information (31)

The labor laws of FBiH, RS, and BD do not conform to international standards that require all children to be protected by the minimum age to work because the labor laws do not apply to children who are self-employed or working outside of formal employment relationships. In addition, FBiH, RS, and BD do not include street begging in their lists of hazardous occupations prohibited for children. (22-24) Although the Criminal Code in FBiH criminalizes human trafficking for forced labor, it fails to specifically outlaw forced labor, debt bondage, and slavery separately from trafficking in persons. (27)

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. In addition, laws in BiH do not meet international standards for the prohibition of recruitment of minors by non-state armed groups. (26)

The Criminal Code of BiH fails to prohibit using children for prostitution, the production of pornography, or pornographic performances. Further, the Criminal Codes in FBiH and in BD do not criminally prohibit the use of children for prostitution. (26,27,29) Although the Criminal Code of RS prohibits using children who are victims of human trafficking for prostitution, the production of pornography, and pornographic performances, there is a gap in the law for children who are not victims of trafficking. (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 operations of enforcement agencies 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	Enforce labor laws, including those on child labor, in FBiH. (8,34)
RS Ministry of Labor and Veterans Labor Inspectorate	RS	Enforces labor laws, including those on child labor, in RS. (8,34)
BD Administrative Support Department	BD	Enforces labor laws, including those on child labor, in BD. (34)
Entity and Cantonal-Level Police	BD, FBiH, RS	Enforce criminal laws against human trafficking, forced labor, prostitution, and begging. (8)
Ministry of Security (MOS)	BiH	Enforces a national policy to prevent the worst forms of child labor and collects data on human trafficking. Ensures that victims are placed in government-approved shelters. (8)

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

Organization/Agency	Related Entity	Role
State Investigative and Protection Agency (SIPA) and 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). (1)
State, Entity, and FBiH Cantonal-Level Prosecutors' Offices	BiH, BD, FBiH, RS	Prosecute human trafficking, forced labor, enticement to prostitution, and forced begging cases at their respective levels, based on applicable laws. (1)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in BiH 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, including proper application of referral mechanisms.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	Related Entity	2019	2020
Labor Inspectorate Funding	FBiH/RS/BD	Unknown	Unknown
Number of Labor Inspectors	FBiH	Unknown	133 (2)
	RS	Unknown	31 (2)
	BD	Unknown	12 (2)
Inspectorate Authorized to Assess Penalties	FBiH/RS/BD	Yes (22-24)	Yes (2)
Initial Training for New Labor Inspectors	FBiH/RS/BD	Unknown	Yes (2)
Training on New Laws Related to Child Labor	FBiH/RS/BD	Unknown	N/A (2)
Refresher Courses Provided	FBiH/RS/BD	Unknown	Yes (2)
Number of Labor Inspections Conducted	FBiH/RS/BD	Unknown	Unknown
Number Conducted at Worksites	FBiH/RS/BD	Unknown	Unknown
Number of Child Labor Violations Found	FBiH/RS/BD	Unknown	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	FBiH/RS/BD	Unknown	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	FBiH/RS/BD	Unknown	N/A (2)
Routine Inspections Conducted	FBiH/RS/BD	Unknown	Yes (2)
Routine Inspections Targeted	FBiH/RS/BD	Unknown	Yes (2)
Unannounced Inspections Permitted	FBiH/RS/BD	Yes (22-24)	Yes (22-24)
Unannounced Inspections Conducted	FBiH/RS/BD	Unknown	Yes (2)
Complaint Mechanism Exists	FBiH/RS/BD	Unknown	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	FBiH/RS/BD	Unknown	Yes (2)

Although the government did not provide information on its labor inspectorate funding for inclusion in this report, officials in each entity reported that labor inspectors had sufficient resources to carry out inspections in 2020. However, no labor inspectors received training on detecting hazardous child labor in agriculture, including handling agricultural chemicals. (2,35,36) Complaint mechanisms exist in all entities, including a mechanism for receiving online complaints, but research found that BiH does not have an official system for referring children identified during labor inspections to social services providers unless they are victims or potential victims of human trafficking. (2)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in BiH took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal law enforcement agencies that may hinder adequate enforcement, including proper application of referral mechanisms.

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**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	Related Entity	2019	2020
Initial Training for New Criminal Investigators	BiH/FBiH/RS/BD	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Unknown	Unknown
Refresher Courses Provided	BiH/FBiH/RS/BD	Yes (1)	Unknown
Number of Investigations	BiH	Unknown	Unknown
	FBiH/RS/BD	5 (37)	Unknown
Number of Violations Found	BiH/FBiH/RS/BD	Unknown	Unknown
Number of Prosecutions Initiated	BiH	3 (37)	Unknown
	FBiH/RS/BD	Unknown	Unknown
Number of Convictions	BiH	0 (37)	Unknown
	FBiH/RS/BD	4 (37)	10 (38)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	BiH/FBiH/RS/BD	Unknown	Yes (38)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	BiH/FBiH/RS/BD	Yes (37)	Unknown

Forced begging cases are pursued by cantonal- and entity-level police and cantonal-, entity-, and state-level prosecutors. (2,9,38) Children who are detained for begging are generally referred to social services providers, which are often run by NGOs with funding from the Ministry of Security or the Ministry for Human Rights and Refugees. (2,9,10) However, law enforcement officials sometimes penalize child victims of forced begging by issuing fines against the children. (2,39)

Throughout 2020, the international community, in cooperation with the National Coordinator, facilitated multiple trainings on indicators of trafficking in persons, with an emphasis on irregular migrants, including unaccompanied minors, for the Border Police and regional police forces. (2) However, research indicates that law enforcement officials and social workers would benefit from additional training on identifying children used for forced labor and begging, as these cases are often classified as child negligence or Roma custom instead. (2,3,9) The courts sometimes impose sentences under the legal minimum, decrease the severity of the sentences, or dismiss the charges against the perpetrators altogether. (2,8,9) In addition, enforcement officials 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 were involved in the trafficking process. (2,8)

During the reporting period, FBiH courts convicted 10 traffickers and Federation judges issued sentences ranging from 1 year and 10 months' imprisonment to 10 years' imprisonment for six traffickers. In addition, one judge from Tuzla Canton issued a sentence of 10 years' imprisonment, the highest sentence to date for forced child begging, and the RS Supreme Court upheld a conviction and sentenced a child trafficker to 5 years' imprisonment. (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 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 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. (8,9,36,40) Oversees the human trafficking database, which includes data from NGOs, SIPA, SBP, and police agencies and prosecutors' offices at all levels. (9,36) Publishes data from this database in its annual report on human trafficking. (40) Oversees shelter management and monitors NGO compliance with the agreed-upon provisions on victims' assistance. (36) In 2020, the State Coordinator assisted 26 minors identified as potential victims of trafficking. (2)
Strike Force for Combating Trafficking in Persons and Organized Illegal Migration (Anti-Trafficking Strike Force)	Coordinates human trafficking investigations across government agencies. (36,40) Convenes monthly, with additional meetings scheduled as needed. (9,11) Chaired by the Chief State Prosecutor, includes BiH, FBiH, RS, and BD ministries and agencies. (1,8,40) In 2020, the Strike Force met several times throughout the year. (2,13)
Strategy Implementation Monitoring Team	In January 2020, the Council of Ministers adopted the 2020–2023 Strategy to Suppress Trafficking in Human Beings. The new Strategy will establish the Strategy Implementation Monitoring Team to replace the Inter-Ministerial Working Group, which was dissolved during the reporting period. (2)
Regional Monitoring Teams	Facilitate anti-human trafficking coordination among state, entity, and cantonal-level institutions, as well as between NGOs and intergovernmental organizations. (40,41) Include labor inspectors. (39) In 2020, 16 out of 18 total planned local coordinating teams were established and conducted research on the status of human trafficking in BiH. (2,13)

Although the Strike Force is meant to coordinate anti-trafficking efforts across agencies, representatives from the Ministries of Labor are not included. (2,8) During the reporting period, the Council of Ministers expanded the Strike Force with one additional prosecutor from the State Prosecutor's Office and one official from the Border Police. (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 mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Strategy to Suppress Trafficking in Human Beings in Bosnia and Herzegovina (2020–2023) †	The National Action Plan for the Strategy includes prevention activities to prevent forced labor, including child labor. In October 2020, the Council of Ministers adopted the state-level Action Plan for Implementation of the Strategy. (2)
Guidelines for Work of Regional Monitoring Teams	Enhances the cooperation of monitoring team members and the National Referral Mechanism. (9,42) Includes a section on mixed migration flows, in which unaccompanied migrant children and victims of human trafficking are addressed. (9) The Guidelines have been completed and are currently being prepared for printing and distribution to all relevant institutions and organizations in the country. (38)
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. (43,44) Sets rules on state cooperation on victim protection and mandates the provision of physical, psychological, health, and social protection for children. (44) As a direct result of the protocol, the Sarajevo Canton Prosecutor's Office is currently processing two child begging cases. During the reporting period, 23 children were rescued and accommodated in a safe house as a result of one of these cases. (38)

† 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. (45)

During the reporting period, the Government of BiH continued to implement the National Action Plan to Counter Trafficking, which includes provisions dedicated to preventing labor exploitation of Roma children. (2,38) In addition, Roma organizations and government agencies have expressed intentions to develop an auxiliary action plan to combat child begging; however, the plan has not been completed. (36)

In July 2020, the Government of BiH created a portal for potential victims of trafficking for use in the collection and analysis of statistical data on trafficking in human beings. (2)



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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 a lack of adequate 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. (40) Has helped 1,740 individuals register for citizenship since 2009 and continues to provide legal assistance to foreign victims of trafficking. (1,11) Active in 2020. (2)
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. (8,9,11) Provide direct assistance for children, including educational activities, counseling, food, and hygiene. (2) Sarajevo's Center for Social Welfare Mobile Team also engages in daily outreach to children on the streets and to families in vulnerable communities throughout the capital region. In 2020, the Daily Centers provided social services to the 163 potential victims of child trafficking identified by the State Prosecutor. (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. (1,2) In 2020, MOS and the Ministry of Human Rights and Refugees allocated \$37,100 for shelters. (2)
Prevention and Fight Against Trafficking in Human Beings in Bosnia and Herzegovina	Joint project by the EU and the Council of Europe. Debuted in October 2019 and offers \$790,720 in funding over 3 years to assist BiH in its efforts to better identify victims of human trafficking and heighten public awareness of ongoing issues in the trafficking of persons. Plans to achieve goals through 12 trainings for labor inspectors, police officers, healthcare providers, and education professionals. (1) During the reporting period, the Council of Europe organized 2 trainings on trafficking in human beings for the purpose of labor exploitation (including child labor) for 40 participants. The training included labor inspectors, representatives of employment agencies, members of local anti-trafficking coordination teams, and union and private sector representatives. (2)

† Program is funded by the Government of BiH.

Because labor inspectors do not have a mandate to inspect informal work, staff from Daily Centers are often the first to identify children engaged in hazardous street work. Sarajevo's Mobile Team staff continues to lack sufficient resources for their work, especially reliable transportation. (35,36) Although most Daily Centers collaborate with local Centers for Social Welfare, Daily Centers are not institutionalized and, therefore, lack consistent financial and technical support. (35,36) This may limit the ability of Daily Centers to identify and assist children working on the streets. In addition, government support for outreach to street children in areas outside Sarajevo varies significantly. (2) Although the government provides some social services for low-income families through the Centers for Social Welfare, many families do not receive enough assistance to reduce their reliance on child labor, especially begging. (21,35,36)

During the reporting period, the government partly funded five NGO-run shelters. The Ministry of Human Rights and Refugees allocated \$37,450 to four NGOs assisting domestic trafficking victims in 2020, and the Ministry of Security allocated \$43,695 to two NGOs assisting foreign victims in 2020. (13,38) In addition, the government merged the internal domestic and foreign victim funds into one victim protection fund worth \$81,148, which will be administered by the State Coordinator to provide more effective use of funds for victim assistance. (38)

### 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).

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**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Related Entity	Suggested Action	Year(s) Suggested
Legal Framework	BD, FBiH, RS	Ensure that the minimum age for work applies to all children, including those who are self-employed or working outside of formal employment relationships.	2015 – 2020
	FBiH	Criminalize forced labor, debt bondage, and slavery separately from human trafficking in FBiH's laws.	2018 – 2020
	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 – 2020
	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 – 2020
	BD, FBiH, RS	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including forced begging and use in illicit activities.	2016 – 2020
	BiH	Ensure that BiH law criminally prohibits using children for prostitution, production of pornography, or pornographic performances.	2019-2020
	FBiH, BD	Ensure that the laws of FBiH and BD criminally prohibit the use of children for prostitution.	2019 – 2020
	RS	Ensure that the use of children for prostitution, production of pornography, and pornographic performances is criminally prohibited separately from human trafficking.	2019 – 2020
	Enforcement	BD, FBiH, RS	Collect and publish information on labor and criminal law enforcement efforts, including labor inspectorate funding, number of inspections conducted, and number of prosecutions and convictions.
BD, FBiH, RS		Ensure that labor inspectors receive training on all sectors in which child labor is known to occur, including hazardous work in agriculture.	2017 – 2020
BiH, BD, FBiH, RS		Create an official mechanism for referring children identified during labor inspections to social services providers.	2018 – 2020
BD, FBiH, RS		Ensure that children are not penalized for being victims of the worst forms of child labor.	2017 – 2020
BiH, BD, FBiH, RS		Ensure that law enforcement, judiciary officials, and social services providers are trained on government protocols in detecting cases of child trafficking, including trafficking of migrant and refugee children, and are able to properly identify victims, classify violations, use referral mechanisms, and prosecute offenders according to the law.	2014 – 2020
Coordination	BiH, BD, FBiH, RS	Ensure that all relevant ministries are represented in the Anti-Trafficking Strike Force and allocate sufficient funding to enable coordination and documentation of active investigations.	2017 – 2020
	BiH	Ensure that all coordinating bodies are active and able to implement their mandates.	2019 – 2020
Social Programs	BiH	Ensure that inclusive education initiatives receive adequate funding.	2009 – 2020
	BD, FBiH, RS	Ensure that all children have access to education by eliminating school-related fees, accommodating children with disabilities, and preventing discrimination of minority students.	2013 – 2020
	BD, FBiH, RS	Ensure that all children have access to birth registration or identity documentation required to enroll in school.	2011 – 2020
	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 – 2020
	BiH	Strengthen social protection measures by ensuring that programs such as Daily Centers and Centers for Social Welfare receive adequate financial and technical resources to assist vulnerable families and victims of child labor.	2014 – 2020
	BiH, BD, FBiH, RS	Ensure sufficient resources to provide social services and education to potential and actual victims of domestic or international human trafficking, including unaccompanied minors.	2014 – 2020
	BiH	Ensure that government support for outreach to street children extends beyond Sarajevo.	2019 – 2020

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In 2020, Botswana made minimal advancement in efforts to eliminate the worst forms of child labor. The government provided emergency food assistance packages to vulnerable families, reaching over 47,000 households affected by the COVID-19 pandemic. Criminal law enforcement officials also initiated two prosecutions related to the human trafficking of children for commercial sexual exploitation. However, children in Botswana are subjected to the worst forms of child labor, including in commercial sexual exploitation, cattle herding, and 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 list of hazardous work activities for children. 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation, cattle herding, and domestic work, each sometimes as a result of human trafficking. (1-3) 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 (%)		100.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2021. (4)  
Data were unavailable from International Labor Organization's analysis, 2021. (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	Herding and spraying of cattle (6-9)
Services	Street work, including vending (10) Domestic work (8-11)
Categorical Worst Forms of Child Labor‡	Forced labor in herding cattle and domestic work, each sometimes as a result of human trafficking (3) Commercial sexual exploitation, sometimes as a result of human trafficking (3,12-14)

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

There is little published information regarding the sectors and types of activities in which children are working. Children in Botswana are victims of commercial sexual exploitation, sometimes as a result of human trafficking. (13,15) Research indicates that some children residing in the Dukwi Refugee Camp are subjected to commercial sexual exploitation as they await decisions regarding their refugee status. (10) Some parents in poor rural communities send their children to work as domestic servants in cities, or at farms or cattle posts, increasing their vulnerability to forced labor. (3,13) Children, particularly children from the San minority ethnic group, work on commercial farms in the Ghanzi Region, tending to and herding cattle. (6,8) An NGO reported

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that one of the work activities children perform on commercial farms is the "dipping" (spraying) of cattle, a process to remove ticks and flies. Such work may expose children to hazardous chemicals. (8) On some farms, employers may withhold food rations unless children perform work. (3,6,8,13)

Botswana law provides for free basic education; however, the costs of books, uniforms, and other materials are prohibitive for poorer families. (16,17) In addition, school enrollment requires an identity document, such as a birth certificate or national identity card. The government allows all children to enroll in primary education, even without these documents; however, migrant children and children born outside of health care facilities, or whose parents did not register them at birth, may not be able to enroll in secondary schools or register for national exams. (18) Schools also often lack adequate resources for students with disabilities, and children of the San ethnic group have limited access to educational facilities, including traveling long distances to reach schools and encountering language barriers and prejudice within schools, which cause children to drop out. (10,17,19,20) Moreover, pervasive physical and sexual abuse within schools, by both teachers and peers, contributes to children leaving education early and becoming vulnerable to the worst forms of child labor. (6,10,21,22)

## 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 and inadequate legal protections for children from commercial sexual exploitation.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Articles 2 and 107 of the Employment Act (23)
Minimum Age for Hazardous Work	Yes	18	Articles 2 and 110 of the Employment Act (23)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Articles 2 and 71 of the Employment Act; Section 114 of the Children's Act; Articles 9 and 10 of the Anti-Human Trafficking Act; Section 262 of the Penal Code (23-26)
Prohibition of Child Trafficking	Yes		Section 114 of the Children's Act; Article 175 of the Penal Code; Articles 9 and 10 of the Anti-Human Trafficking Act (24-26)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 25 and 57–59 of the Children's Act (24)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Section 60 of the Children's Act (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of the Botswana Defence Force Act (27)
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 (24)
Compulsory Education Age	No		
Free Public Education	Yes		Section 18 of the Children's Act (24)

\* No conscription (27)

The Employment Act allows children to conduct light work activities at age 14, with restrictions on the number of hours a child can work during a single day and in a week and a requirement that the Labor Commissioner approve any forms of work outside of domestic service; however, the government has yet to determine the conditions or types of light work activities permitted for children. (16) The Employment Act also prohibits night work and hazardous underground work for children, but the government has not promulgated regulations identifying hazardous work activities for children. Although the government compiled a comprehensive list of hazardous occupations, the list has not yet been approved. (17,23,28) In addition, legal protections for children from commercial sexual exploitation do not meet international standards because the use of children for prostitution and pornographic performances are not criminally prohibited. (24)

Despite the provision of free basic education, there is not a compulsory education age, which may increase children's vulnerability to child labor. (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 enforcement agencies 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 Productivity and Skills Development (MELSD)	Enforces child labor laws and conducts inspections under the Employment Act. (1,23) Facilitates coordination with local leaders and law enforcement officers. Posts labor inspectors to District Council offices to carry out their duties. (1) Coordinates with the Ministry of Local Government and Rural Development (MLGRD) to respond to cases of child labor and place children in safe environments. (10,30)
District and Municipal Council Child Welfare Divisions	Enforce child labor laws at the local levels. (1) The District and Municipal Council Child Welfare Divisions report to the Social Protection Department under the MLGRD (31)
Botswana Police Service (BPS)	Responds to cases of labor law violation, including child labor violations, based on referrals from MELSD. (7) Investigates cases of the worst forms of child labor, including commercial sexual exploitation of children and child trafficking. (1)
Ministry of Defense, Justice, and Security (MDJS)	Monitors suspected human trafficking cases and leads the Human Trafficking (Prohibition) Committee. (1)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Botswana took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor Productivity and Skills Development (MELSD) that may hinder adequate labor law enforcement, including financial and human resource allocation.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (10)	\$64,424 (32)
Number of Labor Inspectors	Unknown (10)	Unknown (7)
Inspectorate Authorized to Assess Penalties	No (10,23)	No (7,23)
Initial Training for New Labor Inspectors	Unknown (10)	Yes (7)
Training on New Laws Related to Child Labor	Unknown (10)	N/A (7)
Refresher Courses Provided	Unknown (10)	No (7)
Number of Labor Inspections Conducted	Unknown (10)	76 (32)
Number Conducted at Worksite	Unknown (10)	76 (32)
Number of Child Labor Violations Found	0 (10)	0 (32)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (10)	N/A (32)
Number of Child Labor Penalties Imposed that Were Collected	0 (10)	N/A (32)
Routine Inspections Conducted	Yes (10)	Yes (32)
Routine Inspections Targeted	Yes (10)	No (32)
Unannounced Inspections Permitted	Yes (23)	Yes (23)
Unannounced Inspections Conducted	Yes (10)	Yes (7)
Complaint Mechanism Exists	Yes (10)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (7)

Under the Employment Act, child labor violations are criminal offenses, resulting in 12 months imprisonment; as such, Botswana labor inspectors refer violations to police for investigation and imposition of penalties. (23)

The government did not provide complete information on the number of labor inspectors. (7) Research found that the labor inspectorate lacks sufficient resources to adequately enforce labor laws. (7) Some of Botswana's largest administrative districts have only 1 to 2 labor inspectors. (6,7) The government reported 54 labor inspectors participated in a workshop on modern inspection techniques during the reporting period, but did not say whether this number comprised the entire inspectorate. (31) While the complete number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Botswana would need to employ about 78 labor inspectors. (10,33,34) The inadequate number of labor inspectors likely inhibits enforcement of the agricultural sector; for example, there was only one labor inspector in Ghanzi District, a district that spans 117,000 square kilometers and where there are reports of child labor at farms and cattle posts. (6,7) Furthermore, labor inspectors are not authorized to inspect domestic households, and some labor inspectors have faced obstacles in accessing large farms, such as locked gates or denial of entry, inhibiting their ability to identify underage workers. (6,10)

Research indicates that the government significantly curtailed labor inspections in accordance with pandemic and public health mandates that restricted movement. As a result, labor inspections were mostly in response to complaints. (11)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Botswana 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 investigation planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (10)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	N/A (7)
Refresher Courses Provided	Yes (10)	Unknown (7)
Number of Investigations	Unknown (10)	2 (35)



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

Overview of Criminal Law Enforcement	2019	2020
Number of Violations Found	0 (10)	2 (35)
Number of Prosecutions Initiated	0 (10)	2 (7)
Number of Convictions	0 (10)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (7)

The government did not provide complete information on its criminal law enforcement efforts related to the worst forms of child labor, including trainings of new investigators and refresher courses, number of convictions, and whether it imposed penalties for criminal child labor offenses. (7) During the reporting period, criminal law enforcement officials opened two separate investigations related to the human trafficking of two Zimbabwean children for commercial sexual exploitation, initiating prosecutions against the alleged offenders. (35) Research, however, could not determine whether there were additional investigations, prosecutions, and convictions related to the worst forms of child labor. (7) MELSD and the Botswana Police Service operate toll-free hotlines to report offenses, including child exploitation, but the government did not provide information on the number of calls related to the worst forms of child labor. (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 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. (1) Led by MELSD, with participation from the MLGRD, Ministry of Finance, and the Office of the President. (18) Research was unable to determine whether the Advisory Committee on Child Labor was active during the reporting period. (7)
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. (1) Research was unable to determine whether Child Labor Committees were active during the reporting period. (7)
Human Trafficking (Prohibition) Committee	Provides an inter-ministerial reporting and referral mechanism for children subjected to human trafficking. (18) Led by MDJS, with representation from MELSD, BPS, the Directorate of Public Prosecutions, and ministries responsible for gender affairs, social protection, immigration, and transportation. (1,36) The Human Trafficking (Prohibition) Committee met during the reporting period to oversee the integration of the Anti-Human Trafficking National Action Plan into other national strategies. (35)

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 victims of human trafficking are also needed. (1,14)

#### 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. (1) Research could not determine whether activities were undertaken to implement the National Action Plan on the Elimination of the Worst Forms of Child Labor during the reporting period. (7)

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

Policy	Description
Anti-Human Trafficking National Action Plan (2017–2020)	Outlined the government's plan to implement the Anti-Human Trafficking Act of 2015. Established goals to strengthen national coordination mechanisms to combat and prevent human trafficking through public awareness and cooperation among government departments and civil society. (37) During the reporting period, the government adopted measures to align the Anti-Human Trafficking National Action Plan with other national planning strategies. (35)

Child labor elimination and prevention strategies are not included in some national policies, including the Education and Training Sector Strategic Plan and the Botswana National Youth Policy. (38,39)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Prevent and Eliminate Child Labor†	Government-funded programs that aim to prevent child labor and increase protections for vulnerable children. Includes NGO-run shelters, with financial support from the government, that cater to human trafficking victims, including children; the National School Feeding Program, which provides meals to children (grades one through seven) in all public primary schools in the country; the Remote Area Dweller Program, which provides a second meal to school children living in remote areas and children from marginalized communities; the Orphan Care Program, which provides orphans with meals and subsidizes the cost of school fees and transportation costs; and the Needy Children and Needy Students program, managed by the MLGRD, which provides families with free meals, toiletries, and school uniforms. (1,40) During the pandemic, the government distributed food assistance packages to vulnerable families. (8,9) As of April 2020, 47,493 households had received assistance under the temporary program. (41) However, research could not determine whether activities were taken to implement other government-funded programs during the reporting period, including the National School Feeding Program, the Remote Area Dweller Program, the Orphan Care Program, and the Needy Children and Needy Students programs.

† 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. (42)

There are no official government-run shelters to assist child victims of human trafficking; the government authorized and partially funds NGO-run shelters, but it does not provide its own services. (1,14) An NGO reported that established shelters lack resources to attend to the needs of older children. (9)

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.

## 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 provisions specifying the types of light work acceptable for children age 14.	2016 – 2020
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2020
	Ensure that the use of children in prostitution and pornographic performances are criminally prohibited.	2020
	Establish a compulsory education age consistent with the minimum age of employment.	2010 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information regarding labor law enforcement efforts, including the number of labor inspectors.	2016 – 2020
	Ensure that labor law enforcement officers receive refresher trainings.	2020
	Ensure that the labor inspectorate has sufficient human and financial resources to adequately enforce labor laws, including on farms and cattle posts.	2020
	Ensure the number of labor inspectors in Botswana meets the ILO's technical guidance.	2020
	Ensure that labor inspectors have authorization to worksite premises and are able to conduct inspections at farms and domestic households.	2018 – 2020
	Publish information about criminal law enforcement efforts related to the worst forms of child labor, including the training of investigators, number of convictions, and whether there were penalties imposed for criminal child labor offenses.	2017 – 2020
	Publish information on the number of complaints related to the worst forms of child labor received through the Ministry of Employment, Labor Productivity and Skills Development and the Botswana Police Service toll-free hotlines.	2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2018 – 2020
	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 – 2020
	Ensure that there are adequate referral and rehabilitation services for human trafficking victims.	2018 – 2020
Government Policies	Publish activities undertaken to implement the National Action Plan on the Elimination of the Worst Forms of Child Labor during the reporting period.	2017 – 2020
	Integrate child labor elimination and prevention strategies into relevant policies, such as the Education and Training Sector Strategic Plan and the Botswana National Youth Policy.	2011 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2020
	Enhance educational access for all children by defraying costs for uniforms and school materials.	2020
	Enhance efforts to remove educational barriers and make education accessible for all children by taking measures to reduce travel distances to reach schools, address language barriers and ethnic discrimination, prevent physical and sexual violence in schools, increase resources for students with disabilities, and ensure that children can enroll in school regardless of their ability to provide identification documents.	2020
	Publish activities undertaken to implement government-funded social programs during the reporting, including the National School Feeding Program, the Remote Area Dweller Program, the Orphan Care Program, and the Needy Children and Needy Students programs.	2020
	Establish official government-run shelters to assist child victims, while ensuring that shelters have sufficient resources to attend to the care of older children.	2020
	Develop programs to fully address the scope of child labor in commercial sexual exploitation, domestic work, and cattle herding.	2012 – 2020

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In 2020, Brazil made moderate advancement in efforts to eliminate the worst forms of child labor. The government published two updated versions of the national "Dirty List" containing information on employers that the Ministry of Economy had found to be using slave labor, including that of children. The Labor Prosecutor's Office, the Federal Highway Police, and the Brazilian Association for the Defense of Women, Children, and Youth signed an agreement to incorporate human trafficking issues in the *Mapear Project*, which maps points along Brazil's federal highways that are high risk for the sexual exploitation of children and adolescents. Moreover, the National Commission for the Prevention and Eradication of Child Labor was re-established after its dismantlement in 2019, and the government approved a constitutional amendment to increase support for the Fund for the Maintenance and Development of Basic Education and the Appreciation of Teaching Professionals, with the aim of leveling the amount spent per student, per year, across the country. The government also secured a \$1 billion loan for *Bolsa Família* to provide benefits to 3 million more participants, including 990,000 children. However, children in Brazil are subjected to 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, including in the production of coffee. Although Brazil made meaningful efforts in all relevant areas during the reporting period, prohibitions against child trafficking 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 labor standards. Furthermore, the reported number of labor inspectors is likely not sufficient to provide adequate coverage of the workforce, and local governments lack the capacity to fully implement and monitor the National Program to Eradicate Child Labor and other social protection programs.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Brazil are subjected to 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 agriculture, including in the production of coffee. (4,5) The 2019 National Household Survey, published in December 2020, estimated that approximately 1.8 million children ages 5 to 17 engaged in child labor—337,000 children ages 5 to 13, and 1.4 million adolescents ages 14 to 17. Of the 1.8 million children found in situations of child labor, 706,000 children were found to be working in hazardous conditions. (6) The survey also revealed a decrease of approximately 200,000 child laborers since 2016. (6) Table 1 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.

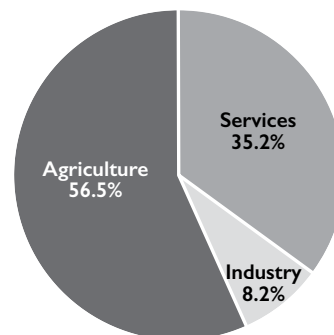
**Table 1. Statistics on Children's Work and Education**

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, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Pesquisa Nacional por Amostra de Domicílios (PNAD) Continua, 2015. (8)

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



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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 of <i>açaí</i> , and citrus fruits, and the production of bananas, cocoa, coffee, corn, cotton,† manioc, mate tea, pineapples,† rice, sisal,† soy, sugarcane,† and tobacco† (4,5,9-13)
	Cattle ranching and raising livestock, including hogs, poultry, and sheep (5,10,14,15)
	Fishing and harvesting mollusks† (5,10,16)
	Forestry, including logging,† extracting carnauba palm leaves, and producing charcoal† (5,10,17-19)
Industry	Slaughtering animals,† including for beef production (20,21)
	Processing manioc/cassava flour† and cashews† (22-24)
	Production of ceramics† and bricks† (19,25,26)
	Production of footwear and textiles, including garments (10,14,19,27)
	Work in stone quarries† (19,28)
	Rolling straw cigarettes (29)
Services	Street work,† including vending,† washing cars,† and garbage scavenging† (19,26,30,31)
	Work in markets and fairs, including hauling fruits and vegetables and transporting heavy loads (20,32,33)
	Restaurant food delivery, including by bicycle (34)
	Selling alcoholic beverages† (26,30,32)
	Artistic and sports related activities and cultural work (14,35)
Categorical Worst Forms of Child Labor‡	Domestic work† (19,32)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1-3,31)
	Forced domestic work, sometimes as a result of human trafficking (36)
	Forced labor in agriculture, including in the production of coffee and manioc (4,37)
	Use by gangs to perform illicit activities, including drug trafficking, sometimes as a result of human trafficking (32,38-40)

† 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 COVID-19 pandemic severely affected the Brazilian economy, resulting in an increase in the number of children engaging in child labor. In June 2020, the Special Secretariat for Social Security and Labor reported a 271 percent increase in the number of child labor cases across the country. (41) Research conducted by UNICEF, in collaboration with the Labor Prosecutor's Office in São Paulo, also showed a 26 percent increase in the number of children engaged in child labor in the state between April and July 2020. (42,43) In addition, research found an increase in child labor in street work, including begging and vending, and labor prosecutors investigated several cases of children working for food delivery apps. (34,43,44)

The overall scope and magnitude of commercial sexual exploitation of children is unknown; however, in 2020, the Federal Highway Police, in collaboration with Childhood Brazil, published its biennial report identifying 3,651 areas along highways throughout the country where children are vulnerable to commercial sexual exploitation. Areas are assessed according to the risk of exploitation and the implementation of preventative mechanisms and strategies within each state. (3) According to the report, the states of Paraná, Minas Gerais, Bahia, Goiás and Rio Grande do Sul have the highest number of these vulnerable areas. Furthermore, the recent report also indicated a 0.4% decrease in these vulnerable areas in relation to its previous publication. (3) Child sex tourism is particularly common in tourist and coastal areas, and girls from other South American countries are also exploited for commercial sex in Brazil. (36,45)




The ILO and the Labor Prosecution Office (MPT) of Brazil published a report indicating that at least 8,000 children and adolescents in the country were found to be working in the production of cocoa. The study was conducted July 2017 through June 2018, and aims to expose companies and hold them accountable for their child labor and forced labor violations. (46,47)

Research found that some schools, particularly those in rural areas, are overcrowded, have poor infrastructure, and lack basic resources and teachers. (31,48) Although birth registration documents are required for school enrollment under Brazilian law, school registration cannot be denied to children lacking proper documentation. State and municipal governments implement this law and assist vulnerable families with acquiring birth registration documents; however, occasionally there may be delays in processing school registration while children are being registered for birth certificates. (12,49) In 2016, the Senate approved draft legislation that would alter the national Education Law to remove the requirement of birth certificates for school registration. Subsequently, the draft legislation was also approved by the Education Committee in 2018, and by the Constitution, Justice and Citizenship Committee in 2019. (50,51) The legislation is currently awaiting a final vote in Brazil's Chamber of Deputies. (12,50,51)

## 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.

**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 (52)
Minimum Age for Hazardous Work	Yes	18	Article 2 of the Hazardous Work List (53)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List (53)
Prohibition of Forced Labor	Yes		Articles 149 and 149-A of the Penal Code (54,55)
Prohibition of Child Trafficking	No		Article 149-A of the Penal Code; Article 244-A of the Child and Adolescent Statute (55,56)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 218-A, 218-B, 227 and 228 of the Penal Code; Articles 240, 241 and 244-A of the Child and Adolescent Statute (54,56)
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 (56,57)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 127 of the Military Service Regulation (58)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (59)

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**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	17	Article 4 of the National Education Law (60)
Free Public Education	Yes		Article 4 of the National Education Law (60)

The national "Dirty List," which contains information on employers that the Ministry of Economy has found to be using slave labor, including that of children, was updated in April and October 2020. The April edition included 184 employers found to be using slave labor, 41 of which were new additions, while the October edition contained only 3 new employers. (61) The lower number of additions in the October version reflected the adoption of restrictive measures related to the pandemic, including for labor inspections. (61)

Prohibitions against child trafficking 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 labor standards. (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. (52,60)

### 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 enforcement agencies 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 Special Secretariat of Social Security and Labor, which is responsible for the enforcement of labor laws, including those related to child labor and forced labor. Its Under Secretariat for Labor Inspection is responsible for conducting unannounced inspections at sites in which forced labor is suspected, including forced child labor. (41) Upon finding children in hazardous working conditions, Ministry of Economy officials immediately remove these children and return them to their families or refer them to social services providers. (62) In 2020, the Ministry launched the <i>IPÉ</i> system, a complaint mechanism developed in conjunction with ILO, which centralizes all forced labor complaints. All complaints are forwarded directly to the Inspection Division for the Eradication of Slave Labor overseen by the Special Secretariat of Social Security and Labor. (63)
Labor Prosecution Office (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. (41) Led by the Ministry of Public Union. (41,64)
Military, Civil, and Federal Police	The Military Police operate at the local level and refer cases to the Civil Police for investigation. The Federal Police, in turn, work on interstate or international cases and maintain a database to track cases of human trafficking for sexual exploitation. (12) The Federal Highway Police also help identify areas in which children are at high risk of commercial sexual exploitation. (3,41)
Ministry of Justice and Public Security	Leads efforts to combat human trafficking, and 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. (41) Eight Advanced Posts operate throughout the country to identify human traffickers and potential victims in high-transit areas, including airports and bus stations. (41)
Special Courts for Childhood and Youth	Oversee legislative issues related to the eradication of child labor, and guarantee the fair and adequate entry of adolescents into the labor force, in compliance with the 1990 Child and Adolescent Statute. Provide protection and care to victims through court psychologists. (41,65)



**Labor Law Enforcement**

In 2020, labor law enforcement agencies in Brazil took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Economy 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	2019	2020
Labor Inspectorate Funding	\$1,902,588 (49)	\$1,759,952 (66)
Number of Labor Inspectors	2,168 (12)	2,084 (41)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (67)
Initial Training for New Labor Inspectors	N/A (12)	N/A (41)
Training on New Laws Related to Child Labor	N/A (12)	N/A (41)
Refresher Courses Provided	Yes (12)	Yes (41)
Number of Labor Inspections Conducted	221,949 (68)	166,731 (68)
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	11,151 (68)	279 (69)
Number of Child Labor Violations for Which Penalties Were Imposed	534 (68)	Unknown (41)
Number of Child Labor Penalties Imposed that Were Collected	566 (68)	Unknown (41)
Routine Inspections Conducted	Yes (12)	Yes (41)
Routine Inspections Targeted	Yes (12)	Yes (41)
Unannounced Inspections Permitted	Yes (12)	Yes (67)
Unannounced Inspections Conducted	Yes (12)	Yes (41)
Complaint Mechanism Exists	Yes (12)	Yes (41)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (41)

In 2020, labor inspectors received three training modules focused on addressing child labor issues. These training modules were part of a 4-module series developed in 2019, and totaled around 144 hours of training. (70) Two of the modules in the series are directed at the study of concepts and national and international legislation related to child labor and the other two address the performance of labor inspections in combating child labor. Of the 3 modules offered in 2020, 435 labor inspectors participated in Module I, 286 in Module II, and 60 in Module III. (70) Moreover, the four-module series has been added to the permanent course catalog at the National School of Labor Inspection and will be updated as necessary and offered to current and new inspectors. (70)

According to the Under Secretariat for Labor Inspection, 810 children and adolescents were removed from situations of child labor across the country during the reporting period. (41) The Municipal Secretariat to Combat Poverty in the city of Salvador also reported identifying 182 cases of child labor during the Carnival festivities, which represented a 22 percent decrease during the same period in 2019, and identified an additional 82 children and adolescents engaged in child labor from March to June 2020. Moreover, in November 2020, the Municipal Secretariat conducted an awareness campaign called "Protection League" on how to identify possible cases of child labor and alerting families to the risks of exposing children to child labor. (41,71)

In 2020, the MPT started investigating an increase in cases of children rolling straw cigarettes, particularly in the state of Minas Gerais. The tobacco industry is also being investigated for their involvement in this increase, which reportedly has worsened during the pandemic. (29,41)

Upon finding children in situations of child labor, including in hazardous working conditions, the Under Secretariat for Labor Inspection immediately removes them from the situation, while also collecting relevant data related to the violation. These data are forwarded to social service providers within the child and adolescent protection network, and reports are sent to the Public Ministry for further guidance. (68) In addition, children over age 14 may be referred to the country's apprenticeship program. (68)

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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. (72-74)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (12)	Yes (41)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (12)	N/A (41)
Refresher Courses Provided	Yes (12)	Yes (41)
Number of Investigations	Unknown (12)	Unknown (41)
Number of Violations Found	Unknown (12)	Unknown (41)
Number of Prosecutions Initiated	Unknown (12)	Unknown (41)
Number of Convictions	Unknown (12)	Unknown (41)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (12)	Unknown (41)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (41)

In November 2020, the MPT, Federal Highway Police, and the Brazilian Association for the Defense of Women, Children, and Youth signed an agreement to incorporate the topic of human trafficking in the *Mapear* Project, which maps high-risk areas for the sexual exploitation of children and adolescents along Brazil's federal highways. The agreement also aims to increase research on human trafficking with the goal of creating more efficient methodologies toward combating this crime. (75)

While the government did not provide comprehensive data on criminal law enforcement efforts to combat the worst forms of child labor, the Civil Police of Paraná arrested 14 people for child pornography during operation "Comprehensive Protection." The operation was the largest of its kind conducted in the state, involving 151 police officers serving 24 search and seizure warrants in 16 cities. (41,76) In addition, the Federal Criminal Court of São Paulo sentenced an Ecuadorian couple to 8 years in prison, in addition to fines, for subjecting workers, including adolescents, to forced labor conditions in a clothing factory in São Paulo. The couple was also convicted and sentenced for international human trafficking crimes for recruiting and bringing these victims into Brazil. (77) Research indicates that the victims lived in degrading conditions and were subjected to restricted mobility, surveillance, and had their personal documents confiscated. (77)

The Ministry of Justice, in collaboration with the U.S. Immigration and Customs Enforcement in Brasilia, also launched its seventh phase of "Operation Protected Childhood" to combat online child pornography. The latest phase resulted in 109 arrests for crimes related to child pornography throughout 10 states. (78,79) The Civil Police in Minas Gerais also conducted "Operation Angel" aimed at combating the sexual exploitation of children. During the reporting period, investigations over the course of 6 months uncovered the sexual exploitation of girls ages 13–15, after being lured through a website with the promise of gifts. (41) The victims were photographed nude, often times after being drugged, and the material was posted to websites. Because of these investigations, the police arrested four suspects. (41)

During the reporting period, the UNODC began executing its 3-year regional TRACK4TIP program, supported by the U.S. Department of State, across South America and the Caribbean. The program aims to enhance the criminal justice response to human trafficking along migration routes throughout the region. (80,81) In October 2020, Brazilian and Paraguayan investigators and prosecutors held virtual meetings to launch the program. (80)

Although the Judiciary, the MPT, and the federal and state police have databases to track cases of human trafficking for sexual exploitation, information from these databases is not shared in a standardized way with relevant agencies across the country. (49,82) In addition, reports indicate that 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. (14,45)

#### 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 for the Prevention and Eradication of Child Labor*	Leads implementation of the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents. Although the commission was eliminated in 2019, it was re-established in December 2020 and restructured from its original multipartite composition to a tripartite structure made up of six government, six employer, and six employee representatives. (41) Government representatives include the ministries of Economy, Education, Citizenship, Health, Agriculture and Supply, and Women, Family and Human Rights. In addition, six special representatives are allowed to participate in meetings as observers, including from government agencies and national and international organizations. (83)
Inter-Sectoral Commission to Combat Sexual Violence Against Children and Adolescents	Creates proposals for programs and public policies to address sexual violence against children and adolescents. In addition, organizes and disseminates research and guidance on combating this crime. (84) Led by the Ministry of Women, Family and Human Rights. (84,85) In 2020, the government reduced the number of entities participating in this committee by half through Decree No.10.482. (86)
National Council for the Rights of Children and Adolescents	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 the Ministry of Justice's Special Secretariat for Human Rights. (87) In 2020, in response to the pandemic, the Ministry of Economy and MPT coordinated to ensure that apprentices ages 16–17 were allowed to continue to receive remuneration and able to continue their apprenticeships in a virtual setting, whenever possible. (41,88)
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) In June 2020, Bahia State's Secretariat of Justice and Human Rights organized an awareness-raising campaign called "COVID-19: Now more than ever, protect children and adolescents from child labor," aimed at preventing the potential increase of child labor cases during a period of increased unemployment and poverty. (91) In October 2020, in the state of Rio de Janeiro, the bar association <i>Ordem dos Advogados</i> , in partnership with the Association of Labor Justice Magistrates and other institutions, also launched a joint campaign against child labor in the state. The campaign aims to circulate videos recorded on social media platforms by known television personalities on the protection of the fundamental rights of children and adolescents. (92)
National Committee to Combat Trafficking in Persons	Led by the National Secretariat for Justice within the Ministry of Justice and Public Security. Coordinates activities to address human trafficking and advises the Ministry on public policies related to human trafficking, including child trafficking. (45,93) Comprising seven voting members distributed among government and civil society. (45) During the reporting period, the committee signed a technical agreement with the National Council of Justice, which aims to strengthen the National Plan to Combat Human Trafficking and focuses on the connections between organized crime, corruption, and human trafficking. (94)
Anti-Trafficking Coordination Centers ( <i>Núcleos de Enfrentamento</i> )	Coordinate activities to combat human trafficking, including medical, legal, and psychological assistance, in 16 states and the Federal District. (12) In 2020, the Ministry of Justice and Public Security partnered with IOM on a project called Euro Front to create a platform that will allow for the sharing of human trafficking information between states. (80) This new system, which is expected to be completed by July 2021, will also provide participating states with standardized reports, improved record-keeping, and real-time status of human trafficking cases. (80)

\* Mechanism to coordinate efforts to address child labor was re-established during the reporting period.

Rio de Janeiro's Secretariat of Social Assistance and Human Rights published Decree 47739, which established a new Department of Childhood and Adolescence to create public policies related to children and adolescents. The new department will also oversee pre-existing social services programs offered by Social Assistance Reference Centers. (95) In addition, the Vitoria da Conquista city government in Bahia state published a decree establishing a Committee for the Network of Social Protection of Children and Adolescents. This new committee will include representatives from several government and social services entities, including the MPT, and focus on

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creating public policies related to the rights of children and adolescents, including the prevention of the worst forms of child labor. (96)

### 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 for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents III (2019–2022)	Aims to prioritize the prevention and eradication of child labor and the protection of adolescent workers; raise public awareness of child labor and its worst forms, including the risks of child labor; ensure relevant legislative compliance related to the prohibitions of child labor and its worst forms; strengthen family security and stability through the increase of employment opportunities; ensure access to quality education and establish health support systems to child labor victims. (97) In 2020, activities were not undertaken to implement the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents due to the termination of the National Commission for the Prevention and Eradication of Child Labor in 2019. (83)
National Plan to Combat Sexual Violence Against Children and Adolescents (2013–2020)	Identified strategies to prevent the sexual exploitation of children, protect children's rights, and assist child victims. (98) 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 the government's strategy to address human trafficking. Includes 58 objectives expanding 6 themes: policy management, information management, training, accountability, victim assistance and prevention, and public awareness raising. (45,99) In May 2020, the Federal Highway Police and NGO Childhood Brazil inspected 116 areas throughout 9 states identified as high risk for commercial sexual exploitation of children and adolescents. (41,100)
Federal Pact for the Eradication of Forced Labor	Aims to establish a database on forced labor, create state-level commissions to combat forced labor, and strengthen inter-agency coordination. Led by the Ministry of Justice's Special Secretariat for Human Rights, and currently signed by 23 of the 27 states. (45,101,102) In 2020, the Labor Inspectors Union began the campaign, "Child labor; a reality few can see," to bring awareness to the challenge of eradicating child labor in Brazil by 2025. (41)
National Education Plan (2014–2024)	Aims to expand access to education and improve the quality of education by allocating 10 percent of Brazil's gross domestic product to public education by 2024. (103) In August 2020, Congress approved a constitutional amendment increasing funding to the Fund for the Maintenance and Development of Basic Education and Appreciation of Teaching Professionals (FUNDEB), and making it a permanent instrument for financing public education. FUNDEB comprises funds from the 26 states and the Federal District. (104) The amendment aims to decrease inequality of resources between education networks by leveling the amount spent per student per year across the country. (104)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (105,106)

Despite the increased funding provided by the constitutional amendment, research found that greater resources are needed to ensure adequate implementation of the National Education Plan. (107,108)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 ( <i>Programa de Erradicação do Trabalho Infantil [PETI]</i> )†	Ministry of Citizenship (MOC) social assistance program that combats child labor through awareness-raising activities, victim identification and protection, and conditional cash transfers. (109) To receive program benefits, family participants must ensure that children are not working and maintain at least 85 percent school attendance. (110) In 2020, conducted awareness-raising campaign throughout municipal, state, and national level institutions. The campaign was coordinated virtually and involved a series of initiatives aimed at raising awareness about protecting the rights of children and adolescents. (41) The campaign also raised awareness of the Dial 100 Human Rights hotline, a human rights violation hotline that directs child labor complaints to appropriate institutions for followup. (41,111)
Family Stipend ( <i>Bolsa Família</i> )†	MOC program that provides families living in poverty with cash transfers. (112) In 2020, additional emergency aid was provided to combat the financial effects of the pandemic, and in October 2020, the World Bank approved a \$1 billion loan to provide Bolsa Familia benefits to 3 million more participants, including 990,000 children. (113,114)
Specialized 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. (115) During Carnival 2020, from February 15 to March 1, the Municipal Secretary of Assistance and Social Development in São Paulo carried out an awareness-raising campaign against child labor and the commercial sexual exploitation of children. During the same period, more than 600 socio-educational counselors, in the regions where the parades took place, worked to identify cases of child labor and potential child victims of sexual exploitation. (41)
South-South Cooperation Projects†	Government of Brazil-funded projects implemented by ILO to combat child labor and promote South-South cooperation. (116) In May 2020, representatives from the ILO, Brazilian Cooperation Agency, Ministry of Foreign Affairs, and Brazilian Cotton Institute held a virtual meeting to discuss the Decent Work Cotton Project's 2019 progress report and approve the project's 2020 work plan. In addition, a network of labor inspectors was created to discuss labor issues with other Lusophone countries and USDOL during the reporting period. (117)
Roadmap to Assist Victims of Forced Labor*	Creates an integrated network of social services providers and standardizes assistance to victims of slave labor across the country. Led by the Ministry for Women, Family, and Human Rights. (120) In 2020, the Roadmap was disseminated to the states of Santa Catarina, Bahia, Rio de Janeiro, Maranhão, Ceará and Mato Grosso do Sul. (120)
USDOL-Funded Projects	<u>Cooperation on Fair, Free, Equitable Employment (COFFEE)</u> , a \$2.2 million project implemented by Verité in Brazil, Colombia, and Mexico to develop tools for businesses to establish systems to prevent, detect, and combat child and forced labor in coffee supply chains. <u>Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor</u> , a global project with a \$225,000 component in Brazil that supported a National Forced Labor Survey. As of the publication of this report, the results of the survey have not yet been published. (118,119) For additional information, please see our <a href="#">website</a> .

\* Program was launched during the reporting period.

† 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. (121-126)

In July 2020, the Ministry for Women, Family, and Human Rights began implementing the Roadmap to Assist Victims of Forced Labor to the states of Santa Catarina, Bahia, Rio de Janeiro, Maranhão, Ceará, and Mato Grosso do Sul. The National Roadmap aims to create an integrated network of social services providers, support social services entities, and guarantee better results toward eradicating slave labor across the country. (120)

Throughout the reporting period, several states conducted awareness-raising campaigns addressing human trafficking and forced labor. As part of the Freedom in the Air campaign, the MPT and *Infraero*, the government's oversight organization for airports, signed an agreement to train airport professionals on how to recognize potential cases of human trafficking and the process for alerting law enforcement. (80) In addition, the Forum to Combat Trafficking in Persons in the State of Santa Catarina implemented an anti-human trafficking campaign in its capital city, which included awareness-raising messages in thirty local buses, mobile health posts, the local samba performance venue, a bus terminal, and a payment location for a local toll road. (80)

Because the National Program to Eradicate Child Labor is decentralized, municipal governments are responsible for implementation and monitoring, and must report back to state and federal governments. Challenges include responding to the needs of program participants, complex local contexts and geographic areas, excessive program requirements, and high staff turnover. (49) In addition, many states reported a lack of resources to

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adequately assist, identify, refer, and support child trafficking victims, and many did not have specialized shelters for child victims of commercial sexual exploitation. (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.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Publish information regarding the number of labor inspections conducted, number of labor inspections conducted at worksites, number of child labor penalties, including penalties imposed and collected, number of criminal investigations conducted, and number of violations found.	2012 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2020
	Ensure relevant enforcement agencies are able to coordinate on their efforts to collect data on cases regarding human trafficking for sexual exploitation, and ensure that the data are disaggregated by victims' ages.	2009 – 2020
	Ensure that all violators of the worst forms of child labor violations are held accountable in accordance with the law.	2015 – 2020
Government Policies	Ensure that activities are undertaken to implement the National Plan for the Prevention and Eradication of Child Labor and the Protection of Working Adolescents and the National Plan to Combat Sexual Violence Against Children and Adolescents.	2020
	Provide adequate resources to ensure that the goals outlined in the National Education Plan are achieved.	2015 – 2020
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 – 2020
	Expand the accessibility and speedy processing of birth registration services.	2013 – 2020
	Ensure the government publishes the results of the National Forced Labor Survey.	2020
	Support local governments in the implementation and monitoring of the National Program to Eradicate Child Labor.	2009 – 2020
	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 – 2020

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Although research found no evidence that child labor exists in the British Virgin Islands, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. The British Virgin Islands does not have a list of hazardous work prohibited for children and does not prohibit the use of children in illicit activities, including in the production and trafficking of drugs. In addition, the minimum age for work is lower than the compulsory education age.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in the British Virgin Islands. (1-4) Table 1 provides one key indicator on children's education in the British Virgin Islands. Data on key indicators on children's work are not available from the sources used in this report.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Primary Completion Rate (%)		79.6







Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (2)  
All other data were unavailable from International Labor Organization's analysis, 2021. (3)

The cost of uniforms, books, and lunches prevents some children from attending school. In addition, violence in schools can deter children from attending. (2,4) 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. (5) Domestic UK law does not generally apply unless explicitly extended to 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. If the Convention is accepted, it is considered applicable to that territory. (5) The following Conventions have been extended to and accepted by 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.

# British Virgin Islands

## NO ADVANCEMENT

**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 (6)
Minimum Age for Hazardous Work	Yes	18	Article 130 of the Labor Code (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 130 and 146 of the Labor Code (6)
Prohibition of Forced Labor	Yes		Article 130 of the Labor Code; Article 14 of the Constitution Order; Section 201A of the Criminal Code (6-8)
Prohibition of Child Trafficking	Yes		Section 201A of the Criminal Code (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 284A of the Criminal Code; Article 130 of the Labor Code (6,8)
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 (9,10)
Free Public Education	Yes		Article 22 of the Constitution Order; Section 17 of the Education Act (7,9)

\* No conscription (11)

† No standing military (11)

In the British Virgin Islands, the Labor Code specifies that hazardous work be defined by the Minister of Labor, but the Minister of Labor has not defined hazardous work for children. (5,12,13) There is also no criminal prohibition against using children in illicit activities. 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. (6,9,10)

### 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. However, the British Virgin Islands have established an institutional mechanism for the enforcement of laws and regulations on child labor (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. (6)

In the British Virgin Islands, the Ministry of Labor proactively plans and conducts labor inspections. There is one labor inspector who assesses penalties for labor law violations. (12,14) The labor inspector may assess penalties for labor law violations during the initial inspection and is permitted to conduct unannounced inspections. The existence of only one labor inspector is a barrier to uncovering additional violations; however, the British Virgin Islands makes the most use of its single labor inspector by conducting annual inspections on newly established businesses and worksites and those reported by employees or other stakeholders for possible violations. (12)



## 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. (15,16)

## 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	Ratify international conventions on child labor.	2020
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2012 – 2020
	Ensure that the use of children in illicit activities, including in the production and trafficking of drugs, is criminally prohibited.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019 – 2020
	Ensure that all children can attend school by eliminating prohibitive school costs and violence in schools.	2018 – 2020

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In 2020, Burkina Faso made moderate advancement in efforts to eliminate the worst forms of child labor. With the support of UNICEF programs, 1,993 children who were victims of child labor and its worst forms received care and services following their removal from work in artisanal gold mining. The government also created a National Coordination Committee to enact the 2019–2023 National Strategy to Combat the Worst Forms of Child Labor, and it continued to carry out a new National Survey on Child Labor. However, children in Burkina Faso are subjected to the worst forms of child labor, including in farming and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in artisanal gold mining. The Labor Code does not identify the activities in which children may engage in light work. The government also lacked resources for the enforcement of child labor laws and did not release information on its criminal and labor enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burkina Faso are subjected to the worst forms of child labor, including in farming and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in artisanal gold mining. (1,2) Table 1 provides key indicators on children’s work and education in Burkina Faso. Data on some of these indicators are not available from the sources used in this report.

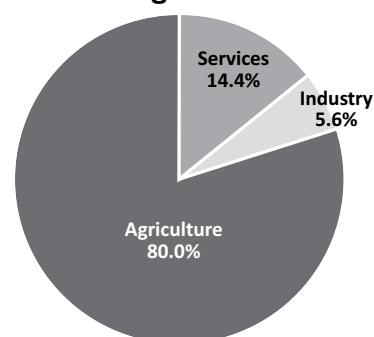
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	10 to 14	35.7 (849,922)
Attending School (%)	10 to 14	Unavailable
Combining Work and School (%)	10 to 14	Unavailable
Primary Completion Rate (%)		64.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization’s analysis of statistics from *Enquête Multisectorielle Continué (EMC)*, 2014. (4)

**Figure 1. Working Children by Sector, Ages 10-14**



These data are not comparable with data presented in last year’s report due to changes in survey source, survey questionnaire, or age range surveyed. (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	Planting, weeding, and harvesting crops, including cotton (5-7)
	Raising and herding† livestock, including goats (8-10)
Industry	Artisanal mining† of gold, including digging† and crushing† rock, working underground,† carrying heavy loads,† and using mercury† (2,6,7,9,11-16)
	Quarrying† and transporting heavy loads† while working to extract granite (17,18)
	Working in construction (8,16)

# Burkina Faso

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Domestic work (1,2,8,16,19)
	Street work, including vending† (1,8,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking ‡ (1,2,20)
	Farming, including production of cotton and livestock raising, domestic work, begging, gold mining, and quarrying, each sometimes as a result of human trafficking (2,16)
	Forced begging in unregistered, and thus illegal, Koranic schools (2,16)

† 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.

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. (1,2,21,22) Children engage in artisanal gold mining, which is particularly arduous and often exposes children to dangerous chemicals such as cyanide and mercury used in the gold extraction process. (1,6,10,15,23) Burkina Faso is the third largest producer of cotton in Africa, with a reported 250,000 children involved in growing the crop, primarily on small family farms. (24) Children working in the cotton sector are exposed to many health risks, including exposure to pesticides, injury from the use of sharp tools, animal bites, and respiratory issues. (5) In addition, continued insecurity has led to the mass displacement of over one million IDPs in the last 2 years, including a large number of vulnerable children. (2,9,24)

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. (9,25,26) At the institutional level, there is a lack of infrastructure, leading some communities to create makeshift structures to serve as schools. Teacher shortages are common, especially in post-primary levels. (9) Part of this deficit is linked to poor personnel management, which results in the concentration of staff in towns to the detriment of rural areas. At the economic level, poverty constitutes the main factor restricting access to education, as public schools are not completely free; the fees for all levels of education sometimes pose heavy burdens on families. (9) A dearth of transportation, coupled with transportation costs, continues to restrict access to schooling in urban areas. At the social level, school violence exists and is exacerbated by the current security crisis. (9)

Children in Burkina Faso must have birth documentation (a birth certificate or supplemental birth judgment) to register for school. (9,27) A student may begin schooling without documentation, but documentation must be provided before the end of the first quarter following the child’s registration. (9) Because more than one in five children do not have a birth certificate, many children in Burkina Faso remain out of school and vulnerable to child labor. (9)




While research has found no evidence of discrimination based on ethnicity, refugees and IDPs face many education challenges, mainly due to the sudden increase in education needs in the communities hosting them. Less than 20 percent of displaced people manage to obtain school registration. (9) In some localities where armed attacks on schools have intensified, especially in the East and Sahel regions, there is a preference of some communities for other types of education such as Koranic schools. (9)

During the reporting period, the government was in the process of carrying out a new survey called the National Survey on Child Labor (*Enquête Nationale sur le Travail des Enfants*). This ongoing survey is conducted by the ministry in charge of labor. It began in June 2019 and ends in December 2021. Its budget, an estimated \$275,353 (148,966,370 FCFA), is supported by the Government of Burkina Faso and its technical partners. (9)

## 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 (28,29)
Minimum Age for Hazardous Work	Yes	18	Articles 149–150 of the Labor Code; Article 1 of the Hazardous Work List (28,30)
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 (28-31)
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 (28,32,33)
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 (28,33)
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 (28,32)
Prohibition of Using Children in Illicit Activities	Yes		Article 153 of the Labor Code (28)
Minimum Age for Voluntary State Military Recruitment	Yes	20	Article 2 of the Decree Organizing Operations Related to Convoking the Contingent (34)
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 (28)
Compulsory Education Age	Yes	16	Article 4 of the Law Orienting the Education System (26)
Free Public Education	Yes		Article 6 of the Law Orienting the Education System (26)

\* No conscription (35)

The light work provisions in the Labor Code are not sufficiently specific to prevent children from involvement in child labor because activities that qualify as work, which may be permitted, are not identified in legislation. (28,29)

### 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 enforcement agencies that may hinder adequate enforcement of child labor laws.



# Burkina Faso

## MODERATE ADVANCEMENT

**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. (36)
Ministry of Women, National Solidarity, Family, and Humanitarian Action (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. (37) Operates a free hotline to report child abuse. Maintains civil registry offices in maternity wards to register newborn babies. (38) Enlists its National Council for Childhood to oversee all policies aimed at the survival, protection, development, and participation of children in broader policy initiatives. (39)
Ministry of Territorial Administration, Decentralization, and Interior Security (MATDSI)	Through its Morals Brigade in the MATDSI National Police Force, oversees criminal cases involving children and women, which are referred to the Ministry of Justice for prosecution. (40) Assists MFPTSS by participating in joint routine inspections related to child labor in suspected human trafficking cases. (37)
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. (41)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Burkina Faso 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 a lack of human and financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	Unknown (9)
Number of Labor Inspectors	Unknown	159 (9)
Inspectorate Authorized to Assess Penalties	Yes (28)	Yes (28)
Initial Training for New Labor Inspectors	Unknown	Yes (9)
Training on New Laws Related to Child Labor	N/A	N/A (9)
Refresher Courses Provided	Unknown	Unknown (9)
Number of Labor Inspections Conducted	Unknown	Unknown (9)
Number Conducted at Worksite	Unknown	Unknown (9)
Number of Child Labor Violations Found	Unknown	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (9)
Routine Inspections Conducted	Unknown	Unknown (9)
Routine Inspections Targeted	Unknown	Unknown (9)
Unannounced Inspections Permitted	Yes (28)	Yes (28)
Unannounced Inspections Conducted	Unknown	Yes (9)
Complaint Mechanism Exists	Unknown	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes	Yes (9)

In 2020, the government reported that it employs 159 labor inspectors and 107 labor controllers—the first time it has published this information in recent years. (9) However, the number of labor inspectors is likely insufficient for the size of Burkina Faso's workforce, which includes over 8.5 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Burkina Faso would employ roughly 213 labor inspectors. The government did not publicly release information on its labor law enforcement efforts. (9) Research indicates that 2020 data are still being compiled on labor law enforcement activities. (9)

During the reporting period, labor inspectors received training on the 2019–2023 National Strategy to Combat the Worst Forms of Child Labor (SN/PFTE) and its Plan of Operational Action 2019–2021, and on general

information concerning child labor. In addition, a session of the permanent labor administration/jurisdictions consultation framework was held in Ouagadougou on October 27, 2020, which strengthened the capacities of labor inspectors, judicial personnel, and those involved in the application of criminal labor legislation. (9) Furthermore, it ensured the convergence and complementarity of action in the application of social legislation, it identified and analyzed the constraints and obstacles to the proper application of social legislation, and it formulated opinions and recommendations for the attention of consultation stakeholders, public authorities, and social partners, on any question relating to the application of social legislation. Newly recruited labor inspectors received initial training at the National Academy for Administration and Judiciary (*École Nationale d'Administration et de Magistrature*) (ENAM). (9)

Research indicates that the labor inspectorate 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. (22,43)

### **Criminal Law Enforcement**

In 2020, 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 inconsistent application of victim identification and referral procedures by authorities and frontline responders.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Unknown (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (9)
Refresher Courses Provided	Unknown	Unknown (9)
Number of Investigations	Unknown	1 (44)
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 (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown (9)

Although the government has standard victim identification and referral procedures, criminal law enforcement authorities and frontline responders do not apply them uniformly. (22,43,45,46) The government did not publicly release information on its criminal law enforcement efforts. Research could not find evidence that a referral mechanism has been set up. (9)

Research has found isolated cases of children being apprehended by the government during anti-terrorism sweeps, and has determined that in the current system, children are often treated as perpetrators. Research disclosed a case of two boys ages 8 and 12 years, respectively, who were picked up in a sweep on the Mali/Burkina border in May 2020. (9) The boys were released later that summer and returned to family with the help of a Burkinabe NGO, but their 17-year-old cousin remains in jail. (9) Research indicates that 15 children, possibly between the ages of 14 and 17, who were allegedly associated with non-state armed groups, were detained by the government and were being held at the High Security Prison outside the capital on terrorism charges. (44) With UNICEF's support, the government created a draft protocol for transferring detained children to their families or the appropriate institutions, which has yet to be finalized. (9,16) As of October 31, 2020, six children associated with armed groups have received support from UNICEF for family tracing, reunification, and family reintegration. (9)

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### 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 Strategy Plan to Combat the Worst Forms of Child Labor (CNC-SN/PFTE)*	Defines appropriate strategies for mobilizing the resources necessary to implement the National Strategy to Combat the Worst Forms of Child Labor (SN/PFTE). Created in July 2020 by order of the Minister of Labor, comprises representatives from other ministries, civil society organizations, NGOs, unions, and employers. (9) Promotes consultation and synergy of action between the actors involved in SN/PFTE implementation. Validates the annual activity programs of SN/PFTE. (9) Monitors and evaluates the implementation and proposes necessary readjustments. Reviews and adopts the reports submitted to it by the Technical Secretariat. (9) Issues reasoned opinions on any question relating to the worst forms of child labor. (9)
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/SN/PFTE. (47) Research was unable to determine whether the Directorate was active during the reporting period.
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. (21) MFSNF serves as the lead agency, with MATDSI playing a secondary role. Includes representatives from MFPTSS, the Ministry of Justice, the Ministry of Women, National Solidarity, Family, and Humanitarian Action, as well as NGOs. (2, 16, 21) During the reporting period, the CNVS took the lead in organizing patrols, intercepting migrating children, reporting suspected trafficking cases, and offering care for victims of human trafficking. (16)
Child Protection Networks	Assist CNVS with bringing together state and non-state actors, coordinating and facilitating the collection of statistical data on human trafficking, specifically the trafficking of women and children. (9) Established by MFSNF, the networks comprise social workers, magistrates, judges, police officers, health workers, and NGOs in 23 of the country's 45 provinces. (48) Research was unable to determine whether the Child Protection Networks were active during the reporting period.
Cooperation Agreements with other Countries	Aim to combat cross-border trafficking in children. (2) Research was unable to determine whether cooperation agreements with other countries were active during the reporting period.
Parliamentary Network for the Promotion of Child Rights	Trains government officials on children's rights, including child labor laws and other issues affecting children. (42)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

During the reporting period, the government created the National Coordination Committee of the 2019–2023 National Strategy to Combat the Worst Forms of Child Labor (CNC-SN/PFTE). The main activities carried out in 2020 took place during two official meetings. (9) The first session, held in September 2020, served to officially install the members of the *Comité National de Coordination* (CNC) and to strengthen CNC members' knowledge of child labor issues. (9) In addition, it presented the national strategy and its operational action plan, and examined, amended, and validated the tools for monitoring and evaluating the implementation of SN/PFTE. The second session, which took place in December 2020, reviewed and adopted the 2019 implementation report of the 2019–2023 SN/PFTE. (9) As part of the implementation of the 2019–2023 SN/PFTE, the government has established a new mechanism to coordinate initiatives concerning child labor, in particular its worst forms. (9) The CNC-SN/PFTE is made up of representatives from the various ministries responsible for the fight against the worst forms of child labor, representatives from civil society organizations working in the protection of children's rights, social partners (workers' unions and employers), and NGOs. (9) However, all other mechanisms suffer from poor coordination among ministries and a lack of resources, such as computers and electricity, which continued to hamper the government's ability to coordinate efforts to fully address child trafficking. (23, 43)

### 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 implementation of policies related to child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Strategy to End the Worst Forms of Child Labor (2019–2023) (SN/PFTE)	Aims to combat the worst forms of child labor in Burkina Faso. (2) Developed by all of the entities involved in this effort—that is, law enforcement agencies focused on child labor and its worst forms, governmental bodies, non-governmental bodies, technical and financial partners, social partners, and civil society organizations, including children's associations. (9) Research was unable to determine whether activities were undertaken to implement the SN/PFTE during the reporting period.
National Child Protection Strategy (2020–2023)†	Aims to strengthen the institutional, community, and family environment to ensure effective protection for children. (49)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
MFSNF Projects to Combat Human Trafficking†	Aims to combat human trafficking. Includes the operation of transit centers that provide food, medical assistance, and counseling to child trafficking victims and children vulnerable to trafficking. (21,45) Transit centers aim to reintegrate victims into their communities and facilitate repatriation of foreign victims when possible. The National Parenting Program assists parents in managing and educating their children to combat child trafficking. (21) Nationwide media campaigns to combat human trafficking provide advocacy, raise awareness, and build capacity for key actors involved in child protection issues, including child trafficking. (21) Watchdog and monitoring committees ensure that all cases of alleged trafficking of children are reported to the justice system by social workers. (50) During the reporting period, the 34 transit centers run by the MFSNF continued to operate with significant NGO and international organization support. (44)
Campaign to Remove Street Children	Project funded by NGO MinWomen, with coordination by the MFSNF, 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 Somgandé, Basjuy, Nongremassom, and Cissin districts of Ouagadougou. (22,43) In August 2020, the MFSNF launched its third campaign to remove vulnerable children from the streets, including Koranic school students ( <i>talibés</i> ) exploited in forced begging. As a result of the campaign, the government identified and provided care to 275 vulnerable children. (44)
ILO-Implemented Projects to Combat Child Labor	ILO-implemented projects to combat child labor and forced labor in supply chains. Includes the Eliminating Child Labour and Forced Labour in the Cotton, Textile and Garment Value Chains: an Integrated Approach (2018–2022), a \$7.5 million EU and Food and Agriculture Organization (FAO) initiative of the UN-funded global project to combat child labor and forced labor in cotton and textile supply chains. (51) Research was unable to determine whether activities were undertaken to implement the Eliminating child labour and forced labour in the cotton, textile and garment value chains: an integrated approach project during the reporting period.
World Bank-Funded Projects	Include 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 to secondary education in the five poorest regions, and to 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. (52-54) Research was unable to determine whether activities were undertaken to implement World Bank-Funded Projects during the reporting period.
Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor (2019–2021)	USDOL-funded global project implemented by the ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Includes the <u>Measurement, Awareness-Raising, and Policy Engagement (MAP I6) Project on Child Labor and Forced Labor (2019–2021)</u> , a \$170,000 program. (55) Additional information is available on the USDOL <a href="#">website</a> .

† Program is funded by the Government of Burkina Faso.

During the reporting period, 1,993 children, including 726 girls, who were victims of child labor and its worst forms in artisanal gold mines in the Plateau Central and Centre Nord regions received appropriate care and services through UNICEF-supported programs. Some of the services provided to these children included removal, psychosocial support, family tracing and reunification, and access to education and to income-generating



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activities. (9) UNICEF partners Land of People Lausanno (*Terre des Hommes Lausanne*) and Association for the Communal Development and the Promotion of the Rights of Children (*Association pour le Développement Communautaire et la Promotion des Droits de l'Enfant*) worked with government entities to provide appropriate care to children. (9) During the reporting period, 899 children, including 189 girls, who were victims or presumed victims of human trafficking, benefited from social services that were technically and financially supported by UNICEF. In addition, 13,064 children, including 5,727 girls, “in a situation of mobility” and at risk of being victims of human trafficking, benefited from child protection and information or referral services through inter-sectoral one-stop shops. (9)

The National Program for the Fight Against Child Labor on Artisanal Gold Mining Sites and Quarries ended in 2019, and research was unable to determine whether a new phase was issued. Although Burkina Faso has social programs to address the worst forms of child labor in cotton production and gold mining, the scope of these programs is insufficient to fully address the extent of the problem. (1)

## 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 I I).

**Table I I. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws determine the activities in which light work may be permitted.	2016 – 2020
Enforcement	Ensure that labor law enforcement receives sufficient human and financial resources to fulfill its mandates, including hiring enough labor inspectors to meet ILO recommendations, conducting an adequate number of inspections, and following up after preliminary inspections to ensure remediation of notices to comply with labor law obligations.	2009 – 2020
	Publish statistics on labor law enforcement efforts, including the labor inspectorate's funding, number and type of labor inspections conducted, the number of child labor violations found, whether refresher courses are provided, the number of penalties imposed and collected, number of inspections conducted at worksites, and the number of targeted and routine inspections.	2009 – 2020
	Establish and publish data on a mechanism to log all calls to the government child protection hotline and to track cases of child labor for referral to law enforcement or social services providers.	2015 – 2020
	Ensure that criminal law enforcement authorities and frontline responders apply standard victim identification and referral procedures uniformly.	2016 – 2020
	Publish statistics on criminal law enforcement efforts, including initial training, refresher courses, investigations undertaken, violations found, prosecutions initiated, convictions obtained, and penalties imposed, and whether a reciprocal referral mechanism exists between criminal authorities and social services.	2016 – 2020
	Ensure a referral mechanism between criminal authorities and social services is operational.	2019 – 2020
	Take active measures, including ensuring a mechanism is operational, to ensure that children are not inappropriately incarcerated, penalized, or physically harmed solely for unlawful acts committed as a direct result of their subjection to the worst forms of child labor, such as child soldiering.	2020
	Coordination	Publish activities undertaken by the Ministry of Public Service, Labor, and Social Security Directorate to Combat Child Labor and its Worst Forms, the Child Protection Networks, and Cooperation Agreements with other countries.
Coordination	Ensure that coordinating bodies receive adequate resources, such as computers and electricity, to accomplish their mandates.	2015 – 2020
	Enhance coordination and collaborative processes and procedures among ministries, law enforcement, and social services.	2019 – 2020
Government Policies	Publish activities undertaken to implement the 2019–2023 National Strategy to Combat the Worst Forms of Child Labor (SN/PFTE) and the National Child Protection Strategy during the reporting period.	2020

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Establish a social program to ensure that IDP and other vulnerable children have access to education and thus reduce their risk of exposure to the worst forms of child labor.	2020
	Improve access to education by eliminating school-related fees and other costs, such as uniforms, by increasing the number of schools and teachers in rural areas, ensuring access to affordable transportation, as well as ending violence in schools.	2010 – 2020
	Ensure that children are registered at birth and that IDPs have access to the requisite documentation to gain access to social services, including education.	2010 – 2020
	Publish activities undertaken to implement Ministry of Women, National Solidarity, and Family Projects to Combat Human Trafficking, and World Bank-Funded Projects.	2020
	Expand existing programs to fully address child labor in cotton production and gold mining.	2009 – 2020

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## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2020, Burma is receiving an assessment of no advancement. Despite limited initiatives to address child labor, Burma is assessed as having made no advancement because it demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. The military continued to work with international organizations to end recruitment of children for combat roles and implement a policy of releasing child soldiers. Despite this, the national military continued to force civilians, including the use of at least 700 children, to work in non-combat roles as porters, cleaners, cooks, and agricultural laborers in the conflict areas, including Rahkine, during the reporting period. Otherwise, the government made efforts by ratifying ILO C.138, implementing the National Complaints Mechanism for Forced Labor, and approving the National Action Plan on Preventing Grievous Injuries and Sexual Abuse on Children in Armed Conflicts (2020–2021). Children in Burma are subjected to the worst forms of child labor, including in recruitment of children for use in armed conflict and in commercial sexual exploitation, sometimes as a result of human trafficking. The vulnerability of Rohingya children to the worst forms of child labor remained high as many continued to be denied access to education and livelihoods through government restrictions on their movement. Penalties for recruitment and use of children by the military or for the military’s use of civilian populations for forced labor are not sufficient for the seriousness of the crime, and the government did not publish information on criminal law enforcement efforts to investigate, prosecute, and convict cases involving many of the worst forms of child labor. On February 1, 2021, the Burma military launched a coup and seized control of the state. The return of a military regime and the resulting instability may severely impact the ability of the Government of Burma to fully engage in combating the worst forms of child labor throughout the country. However, the findings in this report relate to the reporting period of January–December 2020 and do not cover the potential impacts of the military coup.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burma are subjected to the worst forms of child labor, including forced recruitment of children for use 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.

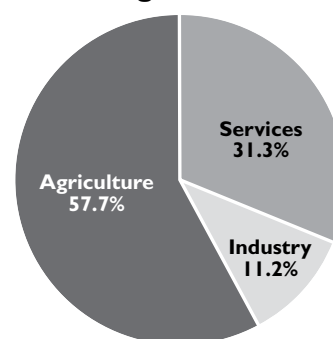
**Table I. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	0.4 (39,370)
Attending School (%)	5 to 14	95.3
Combining Work and School (%)	7 to 14	0.1
Primary Completion Rate (%)		95.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2019. (4)

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



These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, or age range surveyed. (4)



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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 (1,4-8)
	Fishing and processing fish and seafood (4-6,8-12)
	Forestry, including on teak plantations (4,9,12)
Industry	Producing garments (13-16)
	Construction and carrying stones (1,4,8,9,17,18)
	Brickmaking (19)
	Quarrying and mining, including for jade and rubies(4,8,9,11,20,21)
Services	Domestic work (1,4,8,9,11,22-24)
	Working in teashops and restaurants, including waiting tables and washing dishes (1,4,8,9,17,25)
	Vending, including in fish markets, collecting garbage and recyclables, and working in transportation (9,5,17,26)
Categorical Worst Forms of Child Labor‡	Forced recruitment of children by state and non-state armed groups for use in armed conflict (1,8,27-29)
	Forced labor in agriculture, including harvesting bamboo and producing beans, rice, rubber, sugarcane, and teak (2,8)
	Forced labor in manufacturing bricks and construction (2,19)
	Forced labor in domestic work, teashops, and begging (9,8,11,23,24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7-9,11,29)

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

The national military's "self-reliance" policy, which requires military forces to provide their own food and labor from local communities, has led to some units, reportedly including the Border Guard Police, to use civilians, including children, to porter goods, cook, and clean barracks in conflict areas. (2,8,29-30) During the reporting period, research indicated that children continued to work in these types of support roles, including 700 children forced into service by low-ranking national military officials in Rakhine State. (2,8,28-31,32)

In 2020, research indicated that children continued to be used by the national military in non-combat roles. In October, two boys in Rakhine Province were reportedly killed in crossfire after being forced by the national military to walk in front to ensure the path was clear of landmines and to act as human shields for soldiers. (2,8,12,28,31,30,33,34) Though there was no identified pattern of recruitment for combat roles, the UN Country Task Force for Monitoring and Reporting (CTFMR) on Grave Violations Against Children identified two cases of recruitment and use for combat roles of children under the age of 18 in the Burmese national military. (35) In the past, civilian brokers with military connections have sometimes facilitated entry into the military of underage recruits, in some instances bypassing standard age verification procedures by producing sophisticated counterfeit identity documents. (8,11,29,31,30)

As of June 2020, there were 145 suspected minors for whom age verification was pending. (8,27,31,35) However, the national military continued to adhere to the established 2019 principle of the "benefit of the doubt,"—which states that when the age of a recruit cannot be definitively verified, the person is discharged—and released at least 22 individuals whose ages could not be definitively verified. As of April 2020, 1,006 children had been released from the national military in accordance with the 2012 Joint Action Plan with the UN which aims to end all government recruitment and use of children in its national military. (11,31,36-38) Since the CTFMR was signed in 2012, the military has prosecuted and convicted 65 commissioned and non-commissioned officers for the recruitment of children into the national military. (27,31,37)

Children were also forcibly recruited and used in armed conflict by non-state armed groups, including the Kachin Independence Organization, Democratic en Benevolent Army (DKBA), the Karen National Liberation Army, the Shan State Progress Party/Shan State Army, the Ta'ang National Liberation Army, and the United Wa State Army. (27,30,32,35) The DKBA signed a joint action plan to end recruitment and use of children in armed conflict with the UN CTFMR in November 2020. (39)

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Research found that Burmese girls were trafficked to Burma's border with China for the purpose of commercial sexual exploitation. (9,29,30,32) A common trend in Burma is the recruitment of young women, including girls, under the false pretense of getting a high-paying job in China only to be sold into forced marriages with related violations of sexual and labor exploitation. (11,29,31)

The Ministry of Labor, Immigration, and Population (MOLIP) collected data for a survey in 2019 to help develop and establish a database that accurately reflects the current size and composition of the labor force in Burma—including information on child labor—but it has yet to be published. (9,40,41)

Since August 2017, an estimated 728,000 people, primarily from the Rohingya minority, have fled from Burma to Bangladesh following acts of violence and ethnic cleansing perpetrated by the military in northern Rakhine State. (2,42-46) As a result, an estimated 51 percent of Rohingya refugees—approximately 438,000 of whom are children—live in refugee camps in Bangladesh at sites in which they lack access to education, making them vulnerable to the worst forms of child labor. (9,11,43,47-50) Rohingya girls are trafficked from refugee camps, in some cases being promised jobs in domestic work, for commercial sexual exploitation in Bangladesh, India, and Nepal. (2,24,51) Research also found that increasing numbers of children, particularly girls, are leaving refugee and IDP camps to immigrate to countries such as Malaysia for marriages, but often find themselves in situations of forced labor, including domestic work, sometimes as a result of human trafficking. (24,29,45,52-54) Rohingya children recruited to work outside 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. (52)

Approximately 130,000 Rohingya were forced to reside in IDP camps in Rakhine State after being internally displaced by ethnic violence within the State. Rohingya children residing in IDP camps are at an increased risk of the worst forms of child labor, including forced labor and sex trafficking, due to lack of schools particularly in IDP camps, movement restrictions, discriminatory policies and practices, and school closures due to ongoing violence, especially in Muslim villages. (8,29,30,43,45,55-57)

Rohingya children throughout Rakhine State continue to 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. (58) Local officials and school authorities typically ban Rohingya children from attending government schools with ethnic Rakhine children. (58,59) In addition, Burmese law guarantees education only for Burmese citizens, and citizenship rates in Rohingya communities are extremely low. (55) 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. (9,28,60,61) While the government touted its citizenship processing campaigns, such campaigns are scarce and there has only been one in Rakhine State since 2017. (39) Since 2018, the government has forced over 13,000 Rohingya to accept National Verification Cards (NVC) in Rakhine State, including over 500 children; the NVC is required to begin the process of applying for citizenship and requires Rohingya to accept a concession of foreignness. Of the few Rohingya who do obtain citizenship, they are rarely granted full citizenship; they are instead relegated to naturalized citizenship and are not afforded full rights like those granted to full citizens. (2,28,30,55,62)

Furthermore, schools in Rohingya villages impacted by the violence that occurred in 2017 have not reopened, and it is expected that dozens of schools for ethnic Rakhine children will remain closed due to continued fighting between the national military and non-state armed groups in the area, which, in 2020, has displaced an additional 70,000—mostly ethnic Rakhine—into IDP camps. (55,63)

In addition to Rakhine State, children throughout Burma face barriers to education, such as costs associated with travel to schools located long distances away (especially when located in a different township than their own), a lack of schools and teachers, and expenses that include uniforms, books, transportation, and "extra fees" charged by teachers and schools. This leads many children to discontinue their studies after primary school, and increasing

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their vulnerability to the worst forms of child labor. (1,21,24,30,32,64) Refugee children and children from ethnic communities who speak different languages often face barriers in schools because the curriculum is taught in Burmese, despite there being no law explicitly requiring Burmese language instruction. (9,24,30,32) To address this specific issue, the Ministry of Education was working on an equivalency program that will allow students to sit for exams in their native tongue. (9)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Burma 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	✓

On June 8, 2020, the government ratified ILO C.138, becoming the 173rd ILO member state to ratify. (29,32,65,66)

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 criminally prohibiting child trafficking 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	Yes	14	Chapter XIV, Section 48(b) of the Child Rights Law; Section 75 of the Factories Act; Article 14 of the Shops and Establishments Law (67-69)
Minimum Age for Hazardous Work	Yes	18	Chapter I, Sections 3(b) and 3(t)(4), Chapter XIV, Section 48(a), and Chapter XXVII, Section 103(a)(3) of the Child Rights Law (69)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Sections 25 and 29 of the Factories Act; Article 14(d) of the Shops and Establishments Law; Rule 146 of the 2018 Mining Rules (67,68,70)
Prohibition of Forced Labor	Yes		Chapter I, Section 3(t) and Chapter XXVII, Section 103(a)(2) of the Child Rights Law; 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 (69,71-73)
Prohibition of Child Trafficking	No		Chapter I, Section 3(t) and Chapter XVIII, Section 66 of the Child Rights Law; Sections 3 and 24 of the Anti-Trafficking in Persons Law; Sections 372 and 366(a) of the Penal Code (69,71,72)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Chapter I, Section 3(t)(2), Chapter XVIII, Section 66, and Chapter XXVII, Section 105(b) of the Child Rights Law; Sections 372–373 of the Penal Code (69,72)
Prohibition of Using Children in Illicit Activities	No		Chapter I, Section 3(t)(3) and Chapter XIV, Section 48(a) of the Child Rights Law; Sections 20(a) and 22(c) of the Narcotics and Psychotropic Substances Law (69,74)

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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter XVII, Section 63(a-b) of the Child Rights Law; the 1974 Regulation for Persons Subject to the Defense Service Act (War Office Council Instruction 13/73) (69)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Chapter XVII, Section 64(a-b) and Chapter XXVII, Section 104(b) of the Child Rights Law (69)
Compulsory Education Age	No	10‡	Chapter XIV, Section 48(b) of the Child Rights Law; Section 4(j) of the National Education Law (69,76)
Free Public Education	Yes		Chapter XIII, Section 46(b) of the Child Rights Law; Section 4(j) of the National Education Law (69,76)

\* No conscription (77)

‡ Age calculated based on available information (78,79)

During the reporting period, MOLIP prepared a draft hazardous work list and worked to finalize the implementing regulation for the Child Rights Law (2019), but both have yet to be promulgated. (9,11,29,32,34,61,69) In addition, two 2019 draft laws dealing with child labor issues in domestic work and the Occupational Safety and Health Bill, which seeks to expand the legal jurisdiction of the labor inspectorate to include additional industries, remained pending in 2020. (9,11,24,40,80-82)

Furthermore, the draft anti-trafficking in persons law, which will remove the requirement to demonstrate force, fraud, or coercion to constitute a child trafficking offense and allow for assets and proceeds found during trafficking in person cases to be seized, was still awaiting approval as of December 2020. (8,11,29,32,83) The implementing regulations for this bill are currently being drafted by the Ministry of Home Affairs. (39)

The legal framework does not sufficiently prohibit the use of children in illicit activities, as there are no criminal penalties associated with the use, procuring, and offering of a child for the production and trafficking of drugs. (12,69,74)

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. (30,78,79)

### 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 enforcement agencies 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, Immigration, and Population (MOLIP) – Factories and General Labor Laws Inspection Department (FGLLID)	Inspects factories, shops, and establishments for child labor law violations. (67,68) Only mandated to inspect for child labor in manufacturing establishments and factories as laid out in the Factories Law (1951) and the Shops and Establishment Law (2016). This leaves certain sectors, including agriculture, construction, mining, and fishing in which child labor is reported to occur, outside of the purview of the FGLLID. (9,29,30,32)



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

Organization/Agency	Role
Ministry of Home Affairs (MOHA) – Myanmar Police Force (MPF), Anti-Trafficking in Persons Division (ATIPD)	Investigates trafficking in persons crimes and engages in human trafficking prevention efforts through its 60 regional Anti-Trafficking Task Force (ATTF) police units. (11,29,32,84) Oversees nine specialized Child Protection Units in Rangoon, Mandalay, and Naypyidaw to address child exploitation cases, including child trafficking, and uses formal written procedures with questions to screen victims. (29,84) Staffed by 476 personnel and operates nine 24/7 hotlines dedicated to reporting human trafficking cases. (11,29) During the reporting period, the ATIPD and ATTF consulted and collaborated with law enforcement agencies in several countries that are part of the Association of Southeast Asian Nations (ASEAN), including China, Laos, India, and Thailand, as part of formal dialogues on human trafficking and border issues. (8) In addition, focused on improving both hotline and online mechanisms for reporting trafficking in persons crimes during the COVID-19 pandemic. In conjunction with an NGO, conducted two online courses on police procedures on child protection, police procedures on sexual and gender-based crimes, and on social cohesion for 60 ATIPD officers. (29)
Ministry of Defense—Committee for the Prevention of Military Recruitment of Underage Children	Sanctions perpetrators that recruit or use children in the armed forces. (32,85)
Union Attorney General's Office	Responsible for prosecuting trafficking in persons crimes. During the reporting period, issued an order to formally establish Trafficking in Persons (TIP) Coordinators in each of the 74 prosecutorial districts in the country. (29) TIP Coordinators will act as district-level TIP focal points, helping to build prosecutorial expertise, collect and report data, support coordination between prosecutors and police, create focused TIP training opportunities, and improve TIP prosecution records throughout the country. (29,32) During the reporting period, deployed virtual teleconferencing equipment to regional law offices and moved new prosecutor onboarding to a remote platform. (29)

During the reporting period, the Ministry of Transportation and Telecommunications worked with mobile phone operators to send quarterly text messages to all subscribers that included information related to trafficking in persons (TIP) awareness, including the anti-trafficking in persons hotline phone numbers. (29)

The Department of Social Welfare leads efforts on repatriation, reintegration, and rehabilitation of TIP victims, and continued to lack a sufficient number of case managers to cover the entire country. There continued to be instances of delays in offering case management services, and the Department of Rehabilitation lacked sufficient human resources to provide reintegration support. (9,11,29,31)

During the reporting period, the Myanmar Police Force (MPF) remained hampered by personnel turnover, resource constraints, and limited training, which resulted in areas of the country continuing to lack sufficient coverage. (9,8,11,29) Furthermore, MPF was limited in conducting normal police operations from April–August 2020 due to COVID-19 pandemic restrictions on the number of people who could be in the office. (29) Non-specialized police were sometimes unaware of how to pursue human trafficking investigations without the assistance of the Anti-Trafficking in Persons Division's (ATIPD) Anti-Trafficking Task Force units, possibly resulting in some trafficking victims being turned away when attempting to report their cases. (8,29)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Burma took actions to combat child labor (Table 6). However, gaps exist within the operations of the Factories and General Labor Laws Inspection Department (FGLLID) that may hinder adequate enforcement of their child labor laws, including inspection planning.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (9)	Unknown (32)
Number of Labor Inspectors	151 (9)	180 (32)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (67,68)
Initial Training for New Labor Inspectors	Unknown (31)	No (32)
Training on New Laws Related to Child Labor	Unknown (31)	N/A (32)
Refresher Courses Provided	Yes (9)	No (32)

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

Overview of Labor Law Enforcement	2019	2020
Number of Labor Inspections Conducted	44,912 (9)	1,100 (32)
Number Conducted at Worksite	Unknown (9)	1,100 (32)
Number of Child Labor Violations Found	0 (9)	0 (32)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	N/A (32)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	N/A (32)
Routine Inspections Conducted	Yes (9)	Yes (32)
Routine Inspections Targeted	Yes (9)	No (32)
Unannounced Inspections Permitted	Yes (9)	Yes (67,68)
Unannounced Inspections Conducted	Yes (9)	Yes (32)
Complaint Mechanism Exists	Yes (9)	Yes (32)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (9)	No (32)

In 2020, trainings for labor inspectors were halted and the number of labor inspections conducted declined sharply due to pandemic-related movement restrictions put in place by the government. Due to these restrictions, labor inspections were geographically limited to Burma's major urban centers, including Yangon, Mandalay, and Bago, and the FGLLID claimed that they did not uncover any child labor during their inspections in 2020. (32) However, in November, a bakery factory owner was charged with "violating the rights of children," after at least 18 children were alleged to have been in situations of forced child labor; prosecution was ongoing during the reporting period. (32,89)

Despite labor inspectors having the authority to conduct unannounced inspections, these do not occur regularly; when they do occur, factory owners are often given advanced notice, and labor inspectors often neglect to speak with workers. (2,9,32)

Research found that funding for the labor inspectorate is insufficient to cover transportation and equipment for labor inspectors, which discourages inspections of remote establishments. Furthermore, when a complaint is filed by a worker, inspections often are not conducted in a timely manner. (9,32) Research also indicated that when FGLLID imposes penalties on violators, the fines are too low to act as a deterrent to medium and large enterprises. (32) Due to capacity and resource constraints, FGLLID has limited data on its own labor market, including the number of factories, and a lack of basic resources such as furniture for labor inspector offices. (9)

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. (32,77,90,91)

The government did not provide information on its labor inspectorate funding.

**Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Burma took actions to combat the worst forms of child labor (Table 7). However, gaps exist within the authority of MPF that may hinder adequate enforcement of their child labor laws, including penalties not commensurate with the seriousness of certain crimes.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	11,388 (31)	Yes (32)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (9)	Yes (32)
Refresher Courses Provided	Unknown (9)	Yes (32)
Number of Investigations	72 (31)	Unknown (32)
Number of Violations Found	8 (31)	39 (32)
Number of Prosecutions Initiated	44 (31)	Unknown (32)

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

Overview of Criminal Law Enforcement	2019	2020
Number of Convictions	106 (31)	Unknown (32)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (31)	Yes (32)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (31)	Yes (32)

In February, a group of mid-level civilian and military officers attended a course on how to facilitate increasing transparency of anti-trafficking in persons efforts made by the government; this effort resulted in the government providing monthly trafficking in persons data to foreign embassies and international organizations located in Burma. (29,92) The government also trained 60 diplomats and 35 attaches on human trafficking issues. (8)

In 2020, the ATIPD reported two cases of government complicity in the worst forms of child labor. In one case, a commissioned military officer was court-martialed and faces civilian charges for trafficking a young girl into China where she experienced sex and labor exploitation. (29) In the second case, a village leader faces charges for attempting to traffic a young girl to China for forced marriage. Both cases remain under active investigation and prosecution. (29) Also during the reporting period, a 2019 case involving a commissioned military officer and eight civilians who trafficked a young girl to China culminated in the court-martial and conviction of the officer and two of the co-conspirators. All three of the convicted individuals, including the military officer, were sentenced to 10 years in prison. (29) In addition, the case of a karaoke club and bar owner charged with human trafficking after allegedly forcing a child into commercial sexual exploitation remains under active prosecution. (29,92)

While the government continued training its personnel on age verification at recruitment centers, insufficient identity document access and security issues continued to present challenges to the full prevention of the recruitment of children. (2,31,84) While the national military has taken action against national military officials for these crimes, the penalties imposed on members of the military for recruiting and using child soldiers are not commensurate with the seriousness of these crimes. (2,8,12,31) 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, which mandates prison sentences. (2,8,9,30,93)

Research noted that some government and law enforcement officials allegedly participated in, facilitated, or profited from human trafficking. This included police officers and other government officials accepting bribes, and in some cases, individuals claiming to have ties to high-level officials purportedly pressuring victims not to seek legal redress against their traffickers. (8,29)

The government did not provide information on the number of investigations conducted, the number of prosecutions initiated, and the number of convictions related to child labor during the reporting period.

### 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 Committee for the Rights of the Child	Institutes policies, guidelines, and measures needed to implement the Child Rights Law of 2019. (69) Chaired by the Minister of Social Welfare, Relief, and Resettlement. Creates and oversees Local Committees for the Rights of the Child, which are mandated to submit progress reports on functions and duties concerning the implementation of the Child Rights Law. (69) During the reporting period, held one virtual meeting. (32)

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

Coordinating Body	Role & Description
Child Soldiers: CTFMR; Committee for the Prevention of Grave Violations Against Children in ACs; and National Committee on Implementation of Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in AC*	<p>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. (94) Operates a hotline for reporting cases of child soldiering. (11,29) Co-chaired by the UN and UNICEF, members include Save the Children, World Vision, and relevant UN agencies, such as 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. (9,33,37,94) During the reporting period, permitted to directly engage and negotiate with ethnic armed groups, leading to the signing of an 18-month Joint Action Plan with the Democratic Karen Benevolent Army to prevent and end the recruitment and use of children in conflict. Allows for implementation monitoring, release and reintegration of child soldiers, prevention of future recruitment and use of children, and provides support efforts to hold violators accountable. (29,30,32,95)</p> <p>Committee for the Prevention of Grave Violations Against Children in Armed Conflicts (ACs): Formed in January 2019 and addresses issues directed at the national military within the annual UN Report on Children and Armed Conflict Annex related to the killing, maiming, and sexual assault of children in armed conflicts. (11,40) Members include 13 Ministries. Regularly meets with CTFMR to discuss additional measures to prevent grave violations against children in armed conflicts. (11,40) During the reporting period, established a complaint mechanism for Burmese citizens to report potential cases of any of the UN-defined "six grave violations" against children in armed conflict that are now prohibited under the 2019 Child Rights Law. Established a working group to screen and review complaints submitted through the complaint mechanism, and promoted phone numbers and e-mails for the complaint mechanism. (32) Worked on collaborating with Ministry of Defense and MOHA to include them in future complaint mechanism review meetings. In October, met and reviewed progress made by inter-ministerial partners. (32)</p> <p>National Committee on Implementation of Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Created in November 2020. Implements legal and management measures to prevent the use and recruitment of children under the age of 18 by the military, and builds awareness of this issue among the general population. (92) Chaired by the Minister for Social Welfare, Relief and Rehabilitation. (29,92) Has 16 members, including the Ministry of Defense, MOHA, Ministry of Health and Sports, Ministry of Information, and the Union Attorney General's Office. Met for the first time in December 2020. (29,92)</p>
Child Labor Coordination: National Committee on Child Labor Eradication; and Technical Working Group on Child Labor, and Forced Labor Committee	<p>National Committee on Child Labor Eradication: Oversees the implementation of the Myanmar Child Labor Eradication Project. (1,21,96) Chaired by the Vice President and consists of 37 members including representatives from 13 government ministries, the chief ministers of 10 states, the mayors of Rangoon and Mandalay, unions, and employer and civil society organizations. (9,96) Research was unable to determine whether this coordinating body was active during the reporting period. (32)</p> <p>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. (12,97) During the reporting period, met and discussed the development of the hazardous work list and the development of standard operating procedures (SOP) for processing forced labor complaints that come through the National Complaints Mechanism for Forced Labor (NCM). (32)</p> <p>Forced Labor Committee: Met to discuss development of a detailed SOP for the NCM during the reporting period. (98)</p>
Central Body for the Suppression of Trafficking in Persons	<p>Coordinates efforts to address trafficking in persons. Chaired by the Minister of MOHA and includes six government agencies and several NGOs. (11,29,32,85) Creates, implements, and maintains an annual work plan to make progress toward goals established in the Third 5-year National Plan of Action to Counter Trafficking in Persons (NPA). (11,29,99) Includes three working groups: (1) Prevention of Trafficking in Persons and Protection of Trafficked Victims, headed by the Deputy Minister of MOHA; (2) Legal Framework and Prosecuting Measures, headed by the Deputy Attorney General; and (3) Repatriation and Rehabilitation of Trafficked Victims, headed by the Deputy Minister of the Ministry of Social Welfare, Relief and Rehabilitation (MSWRR). (11,29) During the reporting period, trained ATIPD officers on anti-trafficking issues. (8) Launched the National Standard Operating Procedure on Return/Repatriation, Reintegration, and Rehabilitation which provides guidelines for government, civil society, and private partners who offer services for survivors of human trafficking, but noted more could also be done to train local Department of Rehabilitation officials and auxiliary police officers on how to properly screen and identify victims of human trafficking. (29,32) From July–December 2020, virtually trained 183 government officials, including MSWRR and ATIPD staff, on best practices to standardize rehabilitation services and referral procedures using a victim-centric approach and "do no harm" principles. (29,32) In addition, in conjunction with NGOs, provided anti-trafficking in persons trainings. (29)</p>
Township Committees of the Rights of the Child	<p>Coordinate local child welfare and protection activities. Led by the Township Administrator and consist of government agencies, including the Department of Social Welfare, police, and NGOs. (1,78) Research was unable to determine whether these committees were active during the reporting period. (32)</p>

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.



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During the reporting period, the government virtually attended the Coordinate Mekong Ministerial Initiative against Trafficking (COMMIT) Regional Task Force and the 14th Annual Senior Official Meetings hosted by the Government of Vietnam. Senior Burmese government officials, including the Commander of ATIPD, participated and discussed national and transnational referral mechanisms, reviewed the COMMIT Memorandum of Understanding (MOU), and extended the Sub-Regional Plan of Action into 2022. (29) In addition, the government attended a virtual meeting with ASEAN counterparts and the Australian government to discuss countering trafficking in person in the Asia-Pacific region. In December, the Ministry of Social Welfare, Relief and Rehabilitation (MSWRR) hosted the 25th Burma-Thailand Case Management Virtual Meeting on Return and Reintegration of TIP victims with their counterparts from Thailand’s Ministry of Social Development and Human Security. (29)

Research indicates that the government continues to be hampered by limited inter-ministerial coordination, including communication, across all government ministries. (11)

## 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
Myanmar Child Labor Eradication Project	Establishes a national plan of action to eliminate child labor, including hazardous child labor. (1) During the reporting period, continued to raise awareness around child labor and trained government officials and social partners on the importance of compliance with ILO C. 138 and the protection of children against hazardous work. (32)
Children in Armed Conflict: Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes; and National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021)†	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. (100) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.  National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021) was finalized in August 2020. In November, formed a Monitoring and Evaluation Committee to implement the national action plan. (29) Chaired by the Director-General of the Department of Rehabilitation and a representative from the Department of Defense is the Deputy Chair. Responsible for verifying and monitoring that official government actions taken on complaints are handled according to official guidance. (29) Coordinates with government ministries and civil society organizations to establish annual work plans, and develops appropriate capacity building and awareness-raising campaigns related to prevention of the six grave violations against children in armed conflict. Issues annual report. (29)
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. (101) Action Plan Item 4.3.6 specifically addresses eliminating child labor through education. (9,101) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
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 ILO and the government. (46,102) Research was unable to determine specific activities undertaken during the reporting period to implement this policy.
Third 5-Year National Plan of Action (NPA) to Combat Trafficking in Persons (2017–2021)	Aims to effectively eliminate internal and cross-border trafficking in persons and to anticipate and forestall new forms of trafficking. (11,100) Third iteration of the NPA. Implemented by the Central Body for Suppression of Trafficking in Persons. (11,29) Employs three strategies, including: (1) prevent and suppress trafficking in persons; (2) protect all victims, in particular women and children; and (3) prevent forced labor of children, including in the recruitment of children into the armed forces, and prevent the sexual exploitation of children. (11,100) Research was unable to determine specific activities undertaken during the reporting period.

† Policy was approved during the reporting period.

During the reporting period, the government officially signed an MOU with the Government of India on Cooperation for Prevention of Trafficking in Persons: Rescue, Recovery, Repatriation, and Re-Integration of Victims of Trafficking. (9,11,29,32,40) Both governments continue to actively work to develop working

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groups and task forces to prevent TIP crimes, share information on TIP crimes, and enhance cooperation on investigations and prosecutions while also protecting victim information. (29) The government also continued discussions with the Government of Vietnam on establishing a new MOU that would address anti-trafficking in persons measures. (29)

During the reporting period, the Ministry of Defense issued three directives prohibiting the use and recruitment of child soldiers by the national military. (29,30,32) The first directive ordered adherence to all previously released directives to not recruit children under the age of 18 or use underage labor in military-owned factories, shops, and establishments. (29,32,103) The second directive outlined the prohibitions and punishments associated with the use and recruitment of children into the national military for both combat and non-combat roles, and the third directive ordered that national military personnel follow the National Action Plan on Preventing Grievous Injuries and Sexual Abuse of Children in Armed Conflicts (2020–2021). (29,104,105)

Although the government has adopted a policy to end the national military’s recruitment and use of child soldiers and a policy on hazardous child labor, research found no evidence of a policy on other worst forms of child labor, including armed conflict by non-state armed groups, forced child labor, or commercial sexual exploitation of children. (31)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
National Complaints Mechanism for Forced Labor (NCM)*	Joint government-ILO program that gives citizens a permanent mechanism to lodge complaints of forced labor and seek remedies from the government, established in February 2020. (29,106) Includes the ability to report cases of child labor and child soldier recruitment. (31,32,98) During the reporting period, began publishing monthly statistics on forced labor complaints received through the mechanism, including 58 complaints received in 2020. (29,30,32,92,98)
Hotlines	UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children by Burma’s military. (107) Research was unable to determine specific activities undertaken relative to the project.
USDOL-Funded Projects	Aim to increase awareness and knowledge of child labor; improve the legal and institutional environment to contribute to the elimination of child labor; improve availability and use of occupational safety and health data, and increase youth knowledge and awareness of the hazards and risks of child labor. Includes: the <a href="#">Myanmar Program on the Elimination of Child Labour (My-PEC) Project (2013-2021)</a> , a \$7.75 million global project implemented by ILO; <a href="#">SafeYouth@Work Project: Building a Generation of Safe and Healthy Workers</a> , a global project implemented by the ILO; and <a href="#">Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor</a> , a global project implemented by ILO. (9,108-111) For additional information, please see the USDOL <a href="#">website</a> .

\*Program was launched during the reporting period.

In 2020, the government implemented a permanent National Complaints Mechanism for Forced Labor (NCM), replacing the ILO-managed Forced Labor Complaints Mechanism that lapsed in 2018. During the reporting period, ILO continued to receive and forward child labor complaints to the NCM, but research found that there was no mechanism in place for the ILO to follow up on cases it referred to the NCM. (9,11,29,30,31,40,44,98,112) Additionally, research was unable to determine whether the mechanism was being adequately implemented due to the government's failure to communicate important developments to applicable stakeholders related to the NCM, including publishing NCM data online through MOLIP's website. (29,92,98)

During the reporting period, the MSWRR developed and implemented a standard operating procedure (SOP) for local-level victim support and rehabilitation, which provides provisions for the rehabilitation and reintegration

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of former child soldiers, and is in the process of creating a national-level SOP on child protection. (98) However, research found that due to a lack of resources and understanding of victim reintegration, and the decentralization of responsibility to state and regional governments, the protection of victims and the ability to adequately combat forced labor remain unaddressed and unclear. (30,32,113)

Overall, the government lacks sufficient social programs to adequately address the worst forms of child labor, including forced child labor and the commercial sexual exploitation of children. (31,32)

## 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	Publish the implementing regulations for the Child Rights Law and release a comprehensive hazardous work list that includes types of hazardous work prohibited for children, including all sectors and activities in which children engage in hazardous work.	2019 – 2020
	Finalize and implement the draft law on domestic work and the Occupational Safety and Health Bill.	2016 – 2020
	Publish and implement the anti-trafficking in persons bill, and ensure that the law does not require a demonstration of force, fraud, or coercion to constitute a child trafficking offense.	2020
	Ensure that the law provides criminal penalties for the use, procuring, and offering of children under age 18 in illicit activities, including in the production and trafficking of drugs.	2016 – 2020
	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 – 2020
Enforcement	Ensure that the Factories and General Labor Laws Inspection Department's mandate allows for inspections to occur in all sectors in which child labor is known to occur, including agriculture, mining, and fishing.	2019 – 2020
	Ensure that labor inspections occur outside of the main urban centers.	2020
	Ensure all labor inspectors receive training related to the enforcement of child labor laws.	2020
	Ensure that the Ministry of Social Welfare, Relief and Resettlement has sufficient resources to provide services to victims of the worst forms of child labor, including reintegration support at the Department of Rehabilitation and increasing the number of case managers at the Department of Social Welfare.	2016 – 2020
	Ensure that prior notice of unannounced inspections is not given to factory owners, that inspectors conduct thorough inspections which include talking with workers, that inspections are provided in a timely manner, and that labor laws are consistently enforced when a violation is found.	2019 – 2020
	Ensure that the Factories and General Labor Laws Inspection Department has sufficient funding to cover transportation costs to remote areas, equipment for labor inspector offices, including furniture, and for maintaining up-to-date data on the labor market.	2019 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2020
	Publish data related to labor law enforcement, including the amount of funding for the labor inspectorate.	2016 – 2020
	Establish a permanent referral mechanism between the labor inspectorate and social services, and ensure that targeted routine inspections occur, and that initial and refresher training courses are offered for labor inspectors.	2016 – 2020
	Continue to improve military oversight and monitoring of recruitment procedures to prevent the recruitment of children.	2017 – 2020
	Ensure that the penalties for the recruitment and use of children in the military are appropriate for the seriousness of the crime.	2017 – 2020
	Publish data related to criminal law enforcement, including the number of investigations conducted, the number of prosecutions initiated, and the number of convictions.	2016 – 2020
	Ensure that law enforcement officers, including non-specialized police units, receive training on how to pursue trafficking in persons cases to ease reliance on specialized police units, including the Anti-Trafficking in Persons Division.	2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure Department of Rehabilitation and police officers are properly trained on the National Standard Operating Procedure on Return/Repatriation, Reintegration, and Rehabilitation guidelines so they can properly screen and identify victims of human trafficking.	2020
	Investigate and prosecute government and law enforcement officials alleged to have participated in, facilitated, or profited from human trafficking, including accepting bribes and pressuring victims not to seek legal redress against their perpetrators.	2020
Coordination	Ensure frequent and regular coordination, including communication, across all government ministries related to the worst forms of child labor.	2019 – 2020
	Ensure the National Committee on Child Labor Eradication and the Township Committees of the Rights of the Child are able to carry out their intended mandates.	2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as armed conflict by non-state armed groups, forced child labor, and commercial sexual exploitation.	2016 – 2020
	Publish activities undertaken to implement the Joint Action Plan with the UN to Prevent the Recruitment and Use of Children for Military Purposes, the Myanmar Sustainable Development Plan, the Myanmar Decent Work Country Program, and the Third 5-Year National Plan of Action to Combat Trafficking in Persons during the reporting period.	2020
Social Programs	Cease the practice of using the "self-reliance" policy to compel forced labor of civilians, including children, by the national military.	2016 – 2020
	Cease the practice of recruiting, including by force and coercion, children as front line combatants by the national military and non-state armed groups in conflict areas.	2016 – 2020
	Publish the results from the 2019 survey data collected by the Ministry of Labor, Immigration, and Population, including information related to child labor.	2020
	Remove all restrictions on Rohingya access to education in Rakhine State, including a lack of schools, school closures in conflict areas, movement restrictions, and discriminatory policies and practices, including segregated schools.	2017 – 2020
	Provide full legal status to the Rohingya, including children, to decrease their vulnerability to the worst forms of child labor and allow them the ability to attend school.	2019 – 2020
	Develop and implement education programs that reduce physical barriers for children who live long distances from schools, eliminate prohibitive expenses for attending school, and accommodate children who face language barriers, including those from ethnic communities.	2016 – 2020
	Ensure that conditions are safe in Rakhine State for the voluntary return of Rohingya refugees, including children in Bangladesh.	2018 – 2020
	Establish a system to allow for ILO follow-up on cases referred to the National Complaints Mechanism for Forced Labor; address the issue of decentralization of responsibility, and ensure that the government communicates important developments to all stakeholders in a timely fashion.	2020
	Develop and implement programs to address all worst forms of child labor, including forced child labor, and the commercial sexual exploitation of children.	2016 – 2020
	Provide sufficient resources to improve victim assistance and reintegration services to victims of forced labor.	2020
	Publish activities undertaken to implement the UNICEF and World Vision-operated hotlines for reporting suspected cases of child recruitment or use of children in armed conflict during the reporting period.	2020

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In 2020, Burundi made moderate advancement in efforts to eliminate the worst forms of child labor. The government passed a new labor code that made important progress in bringing Burundi's legal framework in line with international standards, such as raising the minimum age for work to age 16 and the minimum age for light work to age 15. Law enforcement authorities also implemented stringent measures to monitor the travel of unaccompanied children and identify cases of child trafficking. Meanwhile, the government launched two new programs to improve counter-trafficking capacity in Burundi and provide work alternatives to youth vulnerable to exploitation. However, children in Burundi are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. Burundi lacks a compulsory education age that is equal to the minimum age for work and the government failed to provide comprehensive criminal law enforcement data related to the worst forms of child labor. Other challenges remain, including a lack of resources to conduct labor inspections and criminal investigations; a lack of well-trained educators and infrastructure in the education sector; and insufficient social programs to address child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Burundi are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in gold mining. (1-3) Table 1 provides key indicators on children's work and education in Burundi. 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	33.2 (Unavailable)
Attending School (%)	5 to 14	69.4
Combining Work and School (%)	7 to 14	30.5
Primary Completion Rate (%)		59.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2016–2017. (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 tea, coffee, sugarcane, cotton, palm oil, peat, potatoes, and rice (1,2,6-8)
	Fishing, including preparing materials and equipment, managing heavy fishing nets, preparing meals for fishermen, loading and unloading materials from vessels, and cleaning the vessels (1,2,6-11)
	Herding and feeding livestock (1,2,6,7)
Industry	Extracting, † washing, and transporting minerals in mines and quarries, including artisanal gold mines (1,2,6)
	Making and transporting bricks (2,7)
	Manufacturing, including soldering, welding, processing plastics and metals, and helping in garages and workshops (8)
Services	Domestic work (2,6-8)
	Street vending, including selling food, newspapers, cigarettes, and used clothes and shoes (1,2,6)



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

Sector/Industry	Activity
Services	Begging (2,7,8,12)
	Working in hotels and restaurants, including cooking, dishwashing, and waiting tables (1,2,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,13)
	Domestic work as a result of human trafficking (2,3,13)
	Forced labor in agriculture, mining, charcoal production, construction, fishing, street vending, and begging, each sometimes as a result of human trafficking (1,2,7,9,13,14)

† 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.

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. (1,15,16) Poverty often results in Burundian children leaving school for paid work. (17) During the 2017–2018 school year alone, the cycle for which the most recent data are available, 171,652 children dropped out of school, with many believed to have entered domestic work. (18)

Burundi is a source country for children subjected to forced labor and sex trafficking abroad, and children are trafficked within the country from rural areas for domestic work and commercial sexual exploitation. There were no documented cases of child sex tourism in Burundi during the reporting period. (3,13,15) Reports indicate that an increasing number of children from the Batwa ethnic group are being transported from rural areas into Bujumbura with promises of work and subsequently are exploited. (2) Women who offer room and board to children sometimes force the children into commercial sexual exploitation to pay expenses. (3,13,19) Burundian girls are also trafficked internationally for commercial sexual exploitation in Kenya, Rwanda, Uganda, the Democratic Republic of Congo, and countries in the Middle East. (3,7,13,19,20) Evidence also suggests that children are trafficked to Tanzania for work in agriculture and for domestic work. (3)




Children work entire days transplanting rice and typically drop out of school in the pre-harvest season to guard rice plantations from birds. Children are also utilized as lookouts in the forestry industry to report illegal woodcutting or theft, placing them in potentially dangerous situations when thieves are present. (8) In fishing communities near Lake Tanganyika, boys are often engaged in fishing activities without pay while girls work as cooks or domestic employees and are at risk of sexual exploitation. (3,8) Civil society organizations indicate that up to 15 percent of children who are school dropouts in urban centers work in the charcoal trade, either packing, loading, and unpacking charcoal or working in fire pits. (8)

Although the government abolished school fees in 2012, families are often asked to pay for supplies, secondary school fees, and school building maintenance costs, which have prevented many children from accessing free public schooling. (2) A dearth of well-trained educators and poor infrastructure have also limited educational opportunity. For example, the lack of gender-separated bathrooms can contribute to lower attendance rates among girls. (2) Children with disabilities and mobility issues face discrimination in schools and a lack of appropriate materials and infrastructure, limiting access to education. (21) 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. (1,2,6,15)

## 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 criminal penalties for forced labor.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Articles 2 and 10 of the Labor Code; Article 3 of the Ministerial Ordinance to Regulate Child Labor (22,23)
Minimum Age for Hazardous Work	Yes	18	Articles 270 and 279 of the Labor Code; Article 13 of the Ministerial Ordinance to Regulate Child Labor (22,23)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–15 of the Ministerial Ordinance to Regulate Child Labor (22)
Prohibition of Forced Labor	No		Articles 7, 8, and 617 of the Labor Code; Articles 4 and 10 of the Trafficking in Persons Law; Article 545 of the Penal Code (23-25)
Prohibition of Child Trafficking	Yes		Article 12 of the Labor Code; Articles 4–6 and 10 of the Trafficking in Persons Law; Article 197 of the Penal Code (23-25)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 12 of the Labor Code; Articles 519, 542-544 of the Penal Code; Articles 4 and 10 of the Trafficking in Persons Law (23-25)
Prohibition of Using Children in Illicit Activities	No		Article 12 and 618 of the Labor Code (23,25)
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		Article 12 of the Labor Code; Articles 200.2.27 and 200.5.7 of the Penal Code (23,25)
Compulsory Education Age	No	15‡	Article 35 of the Law on Basic and Secondary Education (27)
Free Public Education	No		Article 53 of the Constitution; Articles 17, 35, and 47 of the Law on Basic and Secondary Education (27,28)

‡ Age calculated based on available information (27)

\* No conscription (26)

In November 2020, Burundi enacted a new Labor Code, notably establishing 15 as the minimum age for light work, with Ministerial Order 630 still outlining the types of light work permissible for underage children. (3,22,23) The Code also extends protections to children working in the informal sector. (23) Burundi's new Labor Code prohibits forced labor in any form and prohibits the use, recruitment, or offering of children in illicit activities, notably for the production and trafficking of drugs. (23) However, the Labor Code only imposes fines for violations of forced labor and the use of children in illicit activities. (23,25)

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The prohibitions against hazardous work are not comprehensive, as they fail to cover agriculture, an area of work in which there is evidence of children working with dangerous machinery, equipment, and tools. (7,22)

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 this worst form of child labor. (25,29) However, Burundian law does prohibit the recruitment of children under age 18 by state armed forces, and available evidence indicates that the government continued to comply with this provision. (1,15,16)

Although the Law on Basic and Secondary Education provides for guaranteed, free education, it relies on funding from families. (27) Burundi implemented education reforms beginning in 2014 that have continued through the present reporting period because of delays caused by civil unrest in 2015. Burundi's education reform plans established that basic education is compulsory through the first 9 years of education, beginning when a child turns 6 years old. (30-31) The compulsory education age however is less than the minimum age for work, making children between the ages of 15 and 16 vulnerable to labor 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 enforcement agencies 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 Employment	Administers and enforces all labor laws, including those on child labor, through the Inspector General of Work and Social Security. (32)
Ministry of Interior, Community Development and 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. Through the Burundi National Police's Unit for the Protection of Minors and Morals, protects children from commercial sexual exploitation, illicit activity, forced labor, and military recruitment. (1,2,7,13,16)
Ministry of Justice	Prosecutes cases of the worst forms of child labor through its General Prosecutor's Office. (1,2,7)
Ministry of National Solidarity, Social Affairs, Human Rights, and Gender	Coordinates, monitors, and oversees children's advocacy and family services programs conducted by public and private organizations. Develops policies and national laws on the promotion and protection of children and families. (33,34) 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. (2,33,34)

### Labor Law Enforcement

In 2020, 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 Employment 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	2019	2020
Labor Inspectorate Funding	\$2,650 (2)	\$2,589 (8)
Number of Labor Inspectors	43 (2)	38 (8)
Inspectorate Authorized to Assess Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	No (2)	Yes (8)
Training on New Laws Related to Child Labor	N/A	N/A (8)
Refresher Courses Provided	No (2)	Yes (8)
Number of Labor Inspections Conducted	397 (2)	552 (8)
Number Conducted at Worksite	397 (2)	552 (8)
Number of Child Labor Violations Found	1 (2)	0 (8)

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

Overview of Labor Law Enforcement	2019	2020
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	No (2)	No (8)
Unannounced Inspections Permitted	Yes (23)	Yes (23)
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)

Burundi lacks local inspectors in 14 of its 18 provinces. (2) Furthermore, 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. (35,36) Although inspections were carried out throughout the country during the reporting period, reporting suggests that inspections are conducted exclusively in the formal sector, in which child labor is relatively rare, and exclude the agricultural sector. (2,37,38)

Government officials acknowledged the labor inspectorate budget in 2020 was not sufficient. (8) Research found that financial constraints hamper the Inspector General of Work and Social Security's enforcement of child labor laws because annual funding does not cover fuel costs, per diem, or office supplies, nor does the labor inspectorate own any vehicles. (6,7,39,40)

### **Criminal Law Enforcement**

In 2020, 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 resource allocation.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (8)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	N/A
Refresher Courses Provided	Unknown (2)	Yes (13)
Number of Investigations	Unknown (2)	Unknown (8)
Number of Violations Found	Unknown (2)	Unknown (8)
Number of Prosecutions Initiated	Unknown (2)	Unknown (8)
Number of Convictions	Unknown (2)	Unknown (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Yes (13)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

During the reporting period, the General Immigration Authority, which issues travel documents and is responsible for border security, increased scrutiny of traveling unaccompanied children to target the trafficking of children abroad. It also issued a notice preventing travel of Burundian citizens to Gulf countries without permission from the Authority. (13) Similarly, the Ministry of Public Service, Labor, and Employment issued a ministerial order to suspend all recruitment agencies operating in the country in response to what it described as an increase in human trafficking during the reporting period. (13)

Law enforcement indicated they had arrested 4 alleged traffickers, 3 of whom were convicted and sentenced to between 3 and 7 years in prison, and identified and referred to care 16 child trafficking victims as a result of increased efforts to analyze border crossing documents. (13) The IOM indicated it had identified 25 child trafficking victims during the reporting period, 6 of whom had been repatriated from Tanzania and 17 of



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whom were identified in route to Tanzania. The IOM partnered with the government to cover repatriation costs, and the government subsequently partnered with a local NGO to place the six returning children in shelters. (13) Meanwhile, UNICEF reported providing services to 403 children, a majority of whom were victims of human trafficking and child labor. (8, 13)

The government did not provide complete information on its criminal law enforcement efforts for inclusion in this report. (8)

Despite its efforts, the government lacked resources to fully implement criminal law enforcement strategies. For example, while the Burundi National Police Unit for the Protection of Minors and Morals was responsible for the investigation of trafficking in persons, sex trafficking, and child and forced labor issues, it lacked capacity and often did not receive referrals from other police units. (19) The government acknowledged that officials are unfamiliar with the 2014 anti-trafficking law and thus are not sufficiently familiar with the concepts of the worst forms of child labor. However, the government translated the 2014 anti-trafficking law into Kirundi and the government saw an increase in cases accurately filed and charged under the law. (13,38) Agencies lacked resources necessary to respond to victims' needs and had to rely primarily on services from civil society and international organizations. (19) Furthermore, Burundi lacks formal guidance for authorities on how to respond to cases potentially involving the worst forms of child labor, and law enforcement lacked sufficient training to properly identify victims. Although a referral mechanism between law enforcement and social services exists, civil society organizations indicate it is utilized on an ad hoc basis, thus making it difficult to ensure victims receive 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 resource allocation.

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

Coordinating Body	Role & Description
Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor	National coordination body organized by the Ministry of National Solidarity, Social Affairs, Human Rights and Gender, and the Child and Family Department, that works with local non-governmental organizations to address child protection issues. (8) The committee met twice monthly during the reporting period after having been inactive in prior reporting periods. (8)
Ad Hoc Committee for Consultation and Monitoring on the Prevention and Suppression of Trafficking in Persons	Under the office of the Vice President, responsible for coordinating national anti-trafficking efforts. Includes officials from the Ministries of Foreign Affairs and Development Cooperation (MFADC), Justice, Interior, Community Development, and Public Security. (13) In what the IOM characterized as increased activity by the committee compared to previous years, in 2020, the Committee conducted training for more than 407 government officials and worked with the MFADC to repatriate and provide services to victims of human trafficking abroad. This included six victims from Tanzania who were minors. (13) During the reporting period, the Committee's Integrated Plan of Activities expired, and the Committee worked with the IOM to draft a new plan to extend through 2022. (13) The Committee also translated Burundi's 2014 Counter-Trafficking Law into the national language of Kirundi to disseminate it to anti-trafficking stakeholders such as immigration officers, judges, police, and local NGOs. (13)

The Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor was active again during the reporting period, but participating NGOs have indicated that the committee is more effective in the areas around Bujumbura and lacks a presence upcountry, limiting its ability to respond to urgent cases outside of the capital region. (8)

While the Ad Hoc Committee was active during the reporting period, it did not receive any dedicated funds from the government for the fiscal year and thus was reliant upon funding sources from international organizations. (13) Furthermore, there is a lack of coordination and training among stakeholders to properly classify and respond to cases of human trafficking. (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 inactive and expired policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan for Combating Trafficking in Persons (2019–2020)	Aimed to significantly reduce human trafficking in Burundi by 2020 through the adoption of political, social, economic, and institutional measures. Identified women and children as being the most vulnerable to human trafficking, noting sectors of high prevalence and human trafficker profiles. (34,41) The policy ended in 2020 and has not been replaced. (8) The government reported that it continued implementing the 2018–2020 Integrated Plan of Activities to carry out the National Action Plan, and noted that it accomplished a majority of the activities during the reporting period. The government began working with the IOM to draft a new plan. (13)
Burundi National Development Plan (2018–2027)	Ten-year strategic plan that aims to address economic and social challenges in the country. Includes goals to address poverty and access to education, and seeks to address youth employment through strategies such as updates to the labor code and improvements in basic and vocational education. (42) During the reporting period, the government worked with IOM to recruit members of the Burundian diaspora to serve in consultative roles on the implementation of the plan. (43)

During the reporting period, research did not reveal any steps taken by the government to renew the expired National Revised Action Plan for the Fight Against the Worst Forms of Child Labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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, Social Affairs, 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. (33,44) The centers continued to operate during the reporting period, including providing services to six child trafficking victims repatriated from Tanzania. (3,13)
Country Program for the Promotion of Decent Work†*	Developed in 2020 by the Ministry of Labor in partnership with the ILO, aims to increase job opportunities for vulnerable populations such as youth who are at risk of being victims of human trafficking, and promote the application of international labor standards. (13)
IOM Anti-Trafficking Programs*	Includes the Burundi Counter-Trafficking (2019–2022) program launched in 2019 in partnership with the Kingdom of the Netherlands that aims to reinforce government anti-human trafficking efforts by improving coordination between government ministries, Burundi National Police, and civil society organizations. Also aims to strengthen the national referral system for the protection of and improve reintegration services for human trafficking victims. (19,45) In 2020, IOM bolstered its anti-trafficking programming in Burundi through the USAID-funded "National Response to Victim Protection, Prevention and Prosecution of Trafficking in Burundi" program. The 2 year, \$1.5 million project seeks to improve Burundi's capacity by raising awareness, improving victim services, and centralizing government counter-trafficking efforts. (46)
"Back to School" Campaign†	UNICEF and 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. (47) UNICEF continued its campaign to help modernize school facilities and update and improve curriculum, and held its annual supply distribution campaign in September 2020. (48,49)

\* Program was launched during the reporting period.

† 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. Further, the scope of existing programs is insufficient to fully address the extent of the child labor problem.

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### 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 I I).

**Table I I. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that forced labor is criminally prohibited with possible penalties beyond fines.	2019 – 2020
	Ensure that the use of children in illicit activities is criminally prohibited with possible penalties beyond fines.	2015 – 2020
	Establish by law a compulsory education age equal to the minimum age for work.	2009 – 2020
	Ensure that all children are protected from hazardous work activities, including in agriculture, which has hazardous conditions and in which child labor is known to occur.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2020
Enforcement	Conduct targeted inspections in sectors and areas where child labor is known to be prevalent, including in agriculture and the informal sector.	2020
	Ensure the government conducts an adequate number of labor inspections and that inspections cover all areas of the country.	2019 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Provide sufficient funding and resources to the Inspector General of Work and Social Security to cover needs such as fuel costs, per diem, office supplies, and vehicles.	2009 – 2020
	Publish information on criminal law enforcement efforts including whether initial training is provided to investigators, the number of investigations conducted, violations identified, prosecutions initiated, and convictions achieved related to the criminal enforcement of child labor laws.	2017 – 2020
	Ensure that officials receive adequate training on laws pertaining to the worst forms of child labor.	2019 – 2020
	Ensure that criminal law enforcement agencies and agencies responsible for responding to human trafficking have the resources, guidance, and capacity necessary to investigate cases and provide services to victims.	2019 – 2020
	Strengthen referral mechanisms between law enforcement agencies, social services, and civil society organizations to ensure that cases are properly investigated and that victims receive services.	2020
Coordination	Improve the capacity of the Multi-Sector Committee for the Elimination of the Worst Forms of Child Labor to ensure coverage in areas outside of the capital city.	2015 – 2020
	Ensure the viability of established coordinating mechanisms by dedicating regular funding for their operation.	2019 – 2020
	Improve training and coordination among anti-trafficking in person stakeholders.	2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as a national child labor action plan or a national trafficking in persons action plan.	2015 – 2020
Social Programs	Collect and publish data on child labor prevalence across relevant sectors.	2020
	Increase access to education by eliminating school-related fees; increasing the number of well-trained educators; expanding infrastructure to accommodate the needs of female and disabled students; and increasing birth registration rates for populations such as the Batwa ethnic group.	2015 – 2020
	Institute and expand existing programs to address child labor, including in agriculture.	2009 – 2020

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In 2020, Cabo Verde made moderate advancement in efforts to eliminate the worst forms of child labor. The National Assembly approved a draft law on Crimes of Aggression and Sexual Abuse Against Children and Adolescents, which increases penalties for sexual assault, including in cases of commercial sexual exploitation, sexting, and child sex tourism. The Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons also developed internal procedures and a list of priorities related to human trafficking, including child trafficking. Furthermore, the government extended compulsory, tuition-free education through the 12th grade. However, children in Cabo Verde are subjected to 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. Law enforcement officials often lack the necessary resources to conduct thorough investigations, and communication among 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 are subjected to 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. (6-8) Table I provides key indicators on children's work and education in Cabo Verde.

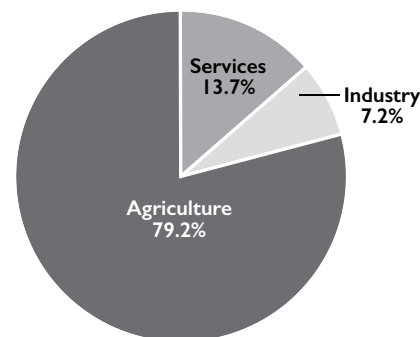
**Table I. Statistics on Children's Work and Education**

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 (%)		87.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (9)

Source for all other data: International Labor Organization's analysis of statistics from *Inquérito as Despesas e Receitas Familiares (HHS)*, 2001–2002. (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	Farming, including carrying heavy loads† (1,7,8,11)
	Raising livestock (11)
	Artisanal fishing in small boats† (8,11)
Industry	Construction (12)
Services	Domestic work (1,6-8)
	Street work, including vending, garbage scavenging,† car washing, and begging (6,7,13,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-5)
	Use in illicit activities, including drug trafficking (6,11)

† 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.

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The commercial sexual exploitation of boys and girls, including in the tourism industry, occurs in Cabo Verde. (3,4,6,11) Research indicates that the islands of Sal and Boa Vista register the highest incidences of commercial sexual exploitation of children. (2) Research further indicates that children are also victims of commercial sexual exploitation on the islands of Brava, Santiago, Fogo, and São Vicente. (6)

During the reporting year, the government extended compulsory, tuition-free education through the 12th grade. (8) According to the Cabo Verdean Institute for Children and Adolescents (ICCA), not all special needs students or children in remote areas had equal access to education. In some areas, mountainous topography obliged children to commute great distances to reach secondary schools. (8)

## 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 (15)
Minimum Age for Hazardous Work	Yes	18	Article 264 of the Labor Code; Article 133 of the Civil Code (15,16)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		National List of Dangerous Work for Children (17)
Prohibition of Forced Labor	Yes		Article 14 of Chapter 3 of the Labor Code; Articles 149, 271, and 271-A of the Penal Code (15,18)
Prohibition of Child Trafficking	Yes		Articles 149 and 271-A of the Penal Code (18)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144–145, 148–150, and 271-A of the Penal Code (18)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Drug Trafficking Law (19)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of the Military Service Law (20)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Military Service Law (20)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 268-C of the Penal Code (18)
Compulsory Education Age	Yes	15‡	Articles 13 and 20 of the Education Law (21)
Free Public Education	Yes		Article 14 of the Education Law (21)

‡ Age calculated based on available information (22)

During the reporting period, the National Assembly approved a draft law on Crimes of Aggression and Sexual Abuse Against Children and Adolescents aimed at increasing penalties for sexual assault, including in cases of commercial sexual exploitation, sexting, and child sex tourism. The law would also revise the age of "children" upward from 14 to 16 in such cases. (8,23)

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, nor does it specify the conditions under which light work may be performed. (16,24,25)

### 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 enforcement agencies 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). (8)
Attorney General's Office	Determines whether cases have merit and can refer relevant cases to the Judicial Police for investigation. Prepares cases for trial. (8)
Judicial Police and National Police	Judicial Police conduct criminal investigations; National Police make arrests related to the worst forms of child labor, including human trafficking. (3)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Cabo Verde took actions to combat child labor (Table 6). However, gaps exist within the operations of the Inspector General for Labor (IGT) 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	2019	2020
Labor Inspectorate Funding	\$26,000 (26)	Unknown
Number of Labor Inspectors	21 (3)	21 (8)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (27)
Initial Training for New Labor Inspectors	Yes (3)	N/A
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (3)	Unknown
Number of Labor Inspections Conducted	1,752 (28)	723‡ (8)
Number Conducted at Worksite	1,752 (28)	723‡(8)
Number of Child Labor Violations Found	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	0 (3)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	0 (3)	Unknown
Routine Inspections Conducted	Yes (3)	Yes (8)
Routine Inspections Targeted	Yes (3)	Yes (8)
Unannounced Inspections Permitted	Yes (3)	Yes (27)
Unannounced Inspections Conducted	Yes (3)	Yes (8)
Complaint Mechanism Exists	Yes (3)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (8)

‡ Data are from January 2020 to June 2020. (8)

Although the government did not report any child labor violations, ICCA recorded 24 reports of child labor violations during the reporting period. When IGT inspectors find a case of child labor, they inform ICCA for referral to social services providers. (3)

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The government did not provide information on whether refresher courses were provided, the number of child labor violations found, or the number of penalties imposed or collected in relation to child labor violations during the reporting period.

### **Criminal Law Enforcement**

In 2020, 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.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (29)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (29)	Unknown
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown
Number of Prosecutions Initiated	Unknown	Unknown
Number of Convictions	Unknown	0 (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	Yes (3)	Yes (8)

ICCA registered and assisted 172 reports of sexual abuse and exploitation of children in 2020, which may have included potential child trafficking victims. (28)

Reports indicate that the Judicial Police and the National Police often lack the necessary financial and human resources to conduct thorough investigations, including cases of child labor. (8,11)

The government did not maintain comprehensive anti-trafficking in persons law enforcement and victim protection data among its criminal enforcement agencies. (6) Although law enforcement agencies work well together, limited coordination between agencies, which sometimes struggle to share case information and updates, may hinder enforcement efforts. (11) In addition, reports indicate that the judicial system is overburdened with a backlog of cases, which can contribute to a lack of protection for child victims of the worst forms of child labor. (2,3)

The government did not provide information on its criminal enforcement efforts 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
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, with the support of the Ministry of Youth, Labor and Development of Human Resources. (31) In 2020, coordinated activities with various partners, including civil society partners. (8)
Cabo Verdean Institute for Children and Adolescents (ICCA)	Coordinates and monitors the implementation of all national programs and activities to prevent and combat child labor. (32) In 2020, conducted an assessment of the National Action Plan for the Prevention and Eradication of Child Labor. ICCA also consulted with UNICEF, among others, to assess the impact of the National Plan to Combat Sexual Violence Against Children and Adolescents, and began developing a new action plan for 2021–2023. (8)



**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. Supervises, monitors, and evaluates the National Plan to Combat Sexual Violence Against Children and Adolescents. (11) Led by ICCA. (33) In 2020, coordinated with NGOs, public and private institutions, and religious organizations. (8)
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. (11,34) Led by the Ministry of Justice and Labor. (11) In 2020, the Observatory met once and developed internal procedures and a list of priorities related to trafficking in persons and the exploitation of children. (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 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. (31) Research was unable to determine whether activities were undertaken to implement the National Action Plan for the Prevention and Eradication of Child Labor.
Code of Ethics Against the Sexual Exploitation of Children	Guides and governs agencies involved in the tourism sector to combat the commercial sexual exploitation of children and adolescents. (35) Remained in force in 2020. (30)
National Action Plan to Combat Trafficking in Persons (2018–2021)	Prioritizes five strategic areas: prevention, awareness, protection, investigation, and coordination. (36) Establishes the Observatory for Monitoring and Rapid Identification of Situations of Trafficking in Persons. (11,34) Active in 2020. (30)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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-raising campaigns on the worst forms of child labor. (37) ICCA conducted awareness-raising activities within communities during the reporting period. (30)
Help for At-Risk Children and Social Protection and Reintegration Centers†	ICCA-implemented program that provides education, health services, and professional training to vulnerable children and their families. Operates six day centers for street children vulnerable to sexual and labor exploitation, including sex trafficking. Moreover, ICCA operates three additional centers for street children through their <i>Nôz Kaza</i> project. (28) The government also operates five long-term social protection and reintegration centers that provide support and educational integration services to children who have experienced long-term trauma, including child trafficking. (38) All centers were active in 2020, and continued to provide support to numerous at-risk children. (38)
Child Emergency Centers†	ICCA-implemented program that operates two emergency centers for child victims of abuse and sexual exploitation on Santiago and São Vicente islands, operating 24/7. (31,37) Active in 2020. (8)
Cabo Verdean Foundation for Social Action in Education†	Government programs aimed at providing access to education for disadvantaged children by paying for school fees, materials, and meals. In 2020, launched a campaign to guarantee funds for school materials to 30,000 students from poor families, which will be distributed through the School Kits Program. (39)

† Program is funded by the Government of Cabo Verde.

Research indicates that awareness-raising efforts on human trafficking, including child sex tourism, remained insufficient on some of the nine inhabited islands. (6) Research also found that programs to assist children involved in agriculture and domestic work are not sufficient to address the scope of the problem.

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### 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 by law the number of hours per week and conditions under which light work may be undertaken.	2015 – 2020
Enforcement	Ensure that criminal investigators receive sufficient financial and human resources to conduct thorough investigations, including investigations of child labor.	2014 – 2020
	Publish labor law enforcement data, including information on labor inspectorate funding, whether refresher courses are provided, the number of child labor violations found, and the number of penalties imposed and collected related to child labor.	2011 – 2020
	Develop a system to compile and share comprehensive anti-trafficking in persons and victim identification data among criminal enforcement agencies to improve coordination efforts.	2018 – 2020
	Make criminal law enforcement data publicly available, including information on training for new criminal investigators, whether refresher courses are provided, and the number of investigations conducted, violations found, prosecutions initiated, and penalties imposed for violations related to the worst forms of child labor.	2011 – 2020
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be prosecuted in a timely manner.	2019 – 2020
Government Policies	Ensure that activities are undertaken to implement the National Action Plan for the Prevention and Eradication of Child Labor.	2020
Social Programs	Ensure that special needs students and children in remote areas have equal access to education, including by providing adequate transportation.	2020
	Conduct awareness-raising activities on human trafficking, including child sex tourism, on all nine inhabited islands.	2018 – 2020
	Institute programs to address child labor in agriculture and domestic work.	2010 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Cambodia made minimal advancement in efforts to eliminate the worst forms of child labor. The government passed new prakas—ministry-level regulations—creating an annual public service fee for enterprises in specific sectors that will pay for announced inspections by the Ministry of Labor and Vocational Training in 2021. In an effort to address the rapid increase of cases related to the online sexual exploitation of children in the country, the Cambodian National Council for Children created a working group to strengthen local governance and provide parents information on how to monitor their child's online activity. However, despite new initiatives to address child labor, Cambodia is assessed as having made only minimal advancement because it continued practices that delayed advancement to eliminate child labor. The government failed to take active measures to investigate, prosecute, convict, and sentence public officials who participate in or facilitate the worst forms of child labor, including commercial sexual exploitation of children and debt-based forced labor in brick kilns. In addition, judges were reported to have accepted bribes in return for dismissal of charges, acquittal, and reduced sentencing for individuals committing such crimes, especially for those with alleged ties to the government; this made children more vulnerable to child labor. Children in Cambodia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced labor in brickmaking. Insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws, especially in rural areas where a majority of child laborers work. In addition, continuing challenges in accessing basic education and the absence of a compulsory education requirement increase children's vulnerability to involvement in the worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cambodia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced labor in brickmaking. (1-3) Table I provides key indicators on children's work and education in Cambodia.

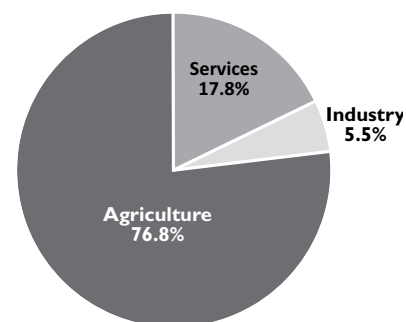
**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	7.5 (243,371)
Attending School (%)	5 to 14	87.6
Combining Work and School (%)	7 to 14	6.3
Primary Completion Rate (%)		91.0

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Socio-Economic Survey (CSES), 2017. (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.



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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**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 (13)
	Production of palm oil, bananas, tobacco, cassava, rubber, and rice (9-11,13,14)
	Growing, cutting, tying, carrying†, and spraying pesticides† on sugarcane (9,10,14,15)
	Logging† for the production of timber (8,9,13)
	Production of salt (16)
	Production of bovines (17,18)
Industry	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 (1,6,8,10,14,19,20)
	Construction,† including operating transportation equipment† (6,8-11,14,21)
	Production of textiles, including bleaching,† dyeing,† and finishing with chemicals;† garments; and footwear (6,10,13,14,22,23)
	Production of alcoholic beverages† (6,8,13)
	Work in slaughterhouses† for the production of meat† (6,8)
	Manufacturing of wood and metal† products (6)
Services	Domestic work (6,11,12,14,24)
	Work as security guards† and in entertainment,† including as bartenders,† masseurs,† dancers,† and waiters† (6,10,11,14)
	Street work, including car washing, begging, vending, scavenging, collecting garbage, and exploitation by orphanages to fraudulently lure donations from tourists (9-12,14,21,25-27)
	Work as garbage pickers in dumpsites (9,10,14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (10-12,24,27,28)
	Forced begging or street vending, sometimes as a result of human trafficking (8,11,12,14,29)
	Use in illicit activities, including drug trafficking (21)
	Forced labor in the production of bricks (1,10,11,13,14,21,24,30,31)
	Forced labor in fishing (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.

In Cambodian brick factories, some children engage in forced labor, sometimes in dangerous conditions, to offset family debt to employers. (3,9-11,24,28,30,32) The rapid growth in the construction industry, particularly in Phnom Penh and Sihanoukville, has increased the demand for bricks and fueled child labor and debt bondage. (3,10,30,33) Failed harvests from droughts have compounded farmers' debts, which they sell to brick kiln owners, thus placing their families into hereditary debt bondage until the debts are repaid. (3,10,11,30,32,33,34,35) During the reporting period, the government released data from the 2019 census of all 486 operational kilns in the country, claiming to have found no instances of child labor or debt bondage. These results contradicted findings by independent researchers, which show high rates of child labor and debt bondage at brick kilns. (10,14,24,31,35-39)

In 2020, labor inspectors conducted surveys of 68 brick kilns, during which they interviewed workers, children, and kiln owners. However, the inspectors failed to take legal action or issue any fines or warnings related to child labor violations, claiming these visits were "educational" and they would impose fines in the future. (14,28,35,39) In addition, they continued to instruct owners to sign agreements saying that they would not loan money to their workers or engage in child labor. (14,28,35,39)

Research indicated that some children work on rubber plantations in northeastern Cambodia to help pay off loan debt taken on by their parents, putting them at risk for situations of debt bondage. There is also research indicating that children in domestic work face similar debt bondage conditions, including approximately 30 percent of child domestic workers under the age of 18. (14)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

During the reporting period, two surveys conducted by NGOs found an increase in the number of children engaging in child labor due to economic hardships brought on by the COVID-19 pandemic. (14,40,41) The first nationwide survey of child labor since 2012, conducted in 2019 by the government and the ILO, has yet to be released and made publicly available. (10,13,14,37)

Children increasingly migrate to the Middle East and within Asia where traffickers may force them to work on fishing vessels, especially on Thai-owned and -operated fishing vessels, in the agriculture and construction sectors, in factories, domestic work (often through debt-based coercion), or they exploit them through commercial sexual exploitation. The pandemic decreased such migration along with all types of cross-border travel. (11,27,28) Children, girls in particular, are subject to human trafficking domestically, from rural to urban areas, and internationally, to countries such as Thailand and Vietnam, for commercial sexual exploitation (CSEC). (3,11,12,24,26,27) Girls as young as 14 are "bride trafficked" to China for CSEC, and research found that the number of these cases doubled during the reporting period due to pandemic-related job losses, especially in the garment, hospitality, and tourism sectors. (14,27,42)

The largely unregulated growth of Chinese casinos, entertainment establishments, and other commercial enterprises in Preah Sihanouk Province has led to an increase of Cambodian girls in forced labor, including sex trafficking. However, these numbers dropped sharply due to the pandemic and the government's ban on online gambling, which resulted in casinos shutting down due to a lack of revenue. (11,14,24,27)

Online sexual exploitation of children (OSEC) is reportedly increasing in Cambodia, facilitated by an increase in cheap, high-speed Internet access. (9,10,26,27,43,44) Furthermore, during the reporting period, a survey conducted by NGOs noted a rise in the reported number of OSEC cases after schools closed at the height of the pandemic. With children spending more time online, it noted that 15 percent of children reported having been contacted by strangers on social media, and 2 percent reported having been asked to share intimate pictures or videos, or to perform inappropriate acts in front of their webcams. (14,41,45) To help address the emergence of OSEC within Cambodia, a local NGO set up an online platform and a hotline for people to report instances of OSEC. (46,47)

Research has found that children who are placed in residential care facilities or orphanages in Cambodia are at a higher risk of engaging in the worst forms of child labor, including child sexual exploitation, and are exposed to conditions that can negatively affect their developmental and health outcomes. (10,11,26,27,48) Of the 265 residential care institutions housing 7,634 children, many private institutions reportedly exploit children as "sham" orphans to lure donations from foreigners. (10,26,48)

Although the Education Law establishes free basic education, unofficial school-related fees, such as for building maintenance and school uniforms, are prohibitive for some families. (10,14,21,49) Other barriers to education include denied enrollment for children without birth certificates, limited transportation to schools in remote areas and at "floating schools," lack of drinking water, sanitation and toilet facilities in some schools, language barriers, threat of corporal punishment, and an insufficient number of teachers. These barriers particularly affect ethnic minority children, children with disabilities, and children from rural and disadvantaged communities. (8,10,11,14,48,50-55) Furthermore, children may only transfer schools during two designated periods per year, resulting in some children repeating a year of schooling because of the disruption in the school year, which can contribute to dropout rates among children living in temporary settings, including migrant children. (14,55)

During the reporting period, the Ministry of Education, Youth, and Sports (MOEYS) ordered all provincial Departments of Education to provide academic transcript certifications of foreign education for children of returning migrant families to help ensure that they could continue their studies upon their return to Cambodia. (28) In addition, MOEYS, in cooperation with several NGOs, designed and approved a new school curriculum entitled "Education to Prevent Trafficking in Persons," aimed at educating students from grade four through nine on the signs and dangers of human trafficking. The curriculum will be included in social studies and

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

civic education coursework at public schools throughout Cambodia in 2021. (28) Furthermore, to address the needs of all Cambodian students—including indigenous students—MOEYS developed the Multilingual Education National Action Plan, 2019–2023, which has been implemented in 18 districts in the 5 targeted provinces of Ratanakiri, Stung Treng, Mondulakiri, Preah Vihear, and Kratié, and in 5 local languages. (56,57) This national action plan focuses on strengthening and extending equal and equitable educational access to indigenous and ethnic minority students, allowing them to increase their participation and commitment to attending school. (39,55,57)

## 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	✓
 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 the 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 (58)
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 (58–60)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Regulation on the Prohibition of Hazardous Child Labor (59)
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 (58,61,62)
Prohibition of Child Trafficking	Yes		Articles 10, 12, 15–17, and 19 of the Law on Suppression of Human Trafficking and Sexual Exploitation (61)
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 (60,61)
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 (60,63)
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 (64)
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 (64)
Prohibition of Military Recruitment by Non-state Armed Groups	No		

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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	No		
Free Public Education	Yes		Article 31 of the Education Law (49)

Although the Labor Code prohibits work by children under age 15, the law does not apply to children outside of formal employment relationships and, therefore, does not conform to international standards that require all children be protected under the law that sets a minimum age for work. (48,59) The Ministry of Labor and Vocational Training (MOLVT)'s regulation on household work extends minimum age protections for domestic workers to age 18 and provides clear definitions of household work. However, the regulation does not specify legal protections for household workers employed in informal relationships, including when working for their relatives without a contract. (9,48,58,65,66)

Cambodian laws also do not sufficiently prohibit the commercial sexual exploitation of children, as the use or offering of a child for pornographic performances is not criminally prohibited (21,60)

Education is free, but not compulsory, through grade nine. (48,49,66) 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. (49,58,66,67)

### 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 enforcement agencies 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 Training (MOLVT) – National Committee on Countering Child Labor (NCCL)	Overseen by MOLVT. The head of MOLVT's Child Labor Bureau also serves as the NCCL Secretary General. (10,14,68) Enforces child-related provisions of the Labor Law, and trains Commune Committees for Women and Children that oversee local child labor monitoring systems. (68) Includes 24 MOLVT inter-departmental inspection teams. (69) Tasked with removing children from child labor, including at brick kilns. (10) Employs 1 child labor inspector in each of Cambodia's 25 provinces. (9,52,70) During the reporting period, funded a "Core Intervention to Prevent and Withdraw Children from the Worst Forms of Child Labor" program, providing food, school kits, and part-time teachers for 400 vulnerable children living on or near brick kilns in four provinces, provided their families with \$250, and offering skills training for children over age 15. Held a management course for labor inspectors and provided two training sessions for labor inspectors, including one on conducting online surveys of employers of young workers to 62 child labor department officials, and a second one to 50 labor inspectors on the worst forms of child labor. (14,39)
Ministry of the Interior—Cambodian National Police—Anti-Human Trafficking and Juvenile Protection Department (AHTJP), Anti-Cybercrime Department, and Department of Criminal Police of General Commissariat	Anti-Human Trafficking and Juvenile Protection Police are commanded by the Ministry of the Interior and report to the AHTJP Department Director. (21,26) Enforce laws against human trafficking and commercial sexual exploitation of children (CSEC), in collaboration with municipal and provincial anti-human trafficking and juvenile protection offices. (21,26) Field complaints from the public about human trafficking, which can be filed through the anti-human trafficking hotline. (39) Oversee the Information and Technology Office, which searches for evidence of trafficking in persons and sexual exploitation of children on the Internet, in printed media, and in other sources. (27,68,69) During the reporting period, handled at least 21 cases and rescued 26 child victims of labor and sexual exploitation. (28) In February, arrested one suspected pimp who allegedly brought two underage girls for CSEC at a guesthouse in Phnom Penh; the case is ongoing. (14) In conjunction with a local NGO, placed placards with the anti-human trafficking hotline phone number on taxis and <i>tuk-tuks</i> throughout the country. Required all guesthouses and hotels in all 25 provinces to post a notice with the anti-human trafficking hotline phone number, and promoted the hotline phone number on the AHTJP and the Deputy Prime Minister's Facebook pages. (28)
	Cambodian National Police Anti-Cybercrime Department is located within the Central Security Department and is responsible for investigating telecommunications crimes, including crimes committed via the Internet. (26,27,71)
	Department of Criminal Police has broad responsibility for most criminal law enforcement, aside from specialized areas such as economic crimes, which are covered by other departments. (39,71)



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

Organization/Agency	Role
Provincial Police Commissariats—Bureau of Anti-Human Trafficking and Juvenile Protection and Bureau of Criminal Police	Bureau of Anti-Human Trafficking and Juvenile Protection enforces laws against human trafficking and commercial sexual exploitation of children at the provincial level. Coordinates with the AHTJP. (14,39) Bureau of Criminal Police is responsible for criminal law enforcement at the provincial level. Coordinates with the Department of Criminal Police. (14,39)
Ministry of Defense—Cambodian Royal Armed Forces—Cambodia Royal Gendarmerie (CRG)—Bureau of Anti-Human Trafficking and Juvenile Protection	Mandated to enforce laws against human trafficking and commercial sexual exploitation of children found within the military. (39)
Ministry of Tourism—Tourism Police Department	Tourism Police Department works to combat the sexual exploitation of children in travel and tourism and child trafficking. Disseminates public awareness materials to counter child sexual abuse. (27)

During the reporting period, the Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY) launched a digital case management system called PRIMERO for child protection service providers; approved the Guidelines for Case Management during Infectious Disease Outbreaks; launched the Guidelines of Basic Competencies for Social Workforce; and launched the USAID-supported "Strong Family" Campaign, which aims to end violence against children and prevent unnecessary family separation. MOSAVY also organized two workshops on guidelines and procedures for identifying victims of human trafficking for law enforcement officials at the village and district level. (14,72,73)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Cambodia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLVT that may hinder adequate enforcement of their child labor laws, including financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$100,000 (10)	Unknown (14, 71)
Number of Labor Inspectors	649 (10)	602 (14)
Inspectorate Authorized to Assess Penalties	Yes (58)	Yes (58)
Initial Training for New Labor Inspectors	Yes (10)	Yes (14)
Training on New Laws Related to Child Labor	N/A (10)	N/A (14)
Refresher Courses Provided	Yes (10)	Yes (14)
Number of Labor Inspections Conducted	7,123 (10)	1,309 (14)
Number Conducted at Worksite	3,284 (10)	1,309 (14)
Number of Child Labor Violations Found	3 (10)	4 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (10)	4 (14)
Number of Child Labor Penalties Imposed that Were Collected	3 (10)	4 (14)
Routine Inspections Conducted	Yes (10)	Yes (14)
Routine Inspections Targeted	Yes (10)	Yes (14)
Unannounced Inspections Permitted	Yes (58)	Yes (58)
Unannounced Inspections Conducted	Yes (10)	Yes (14)
Complaint Mechanism Exists	Yes (10)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (14)

During the reporting period, MOSAVY reported delivering services to 220 human trafficking victims, including 11 children. (28) In addition, MOSAVY processed the intake of 1,005 children it identified as either victims of, or vulnerable to, CSEC, including 63 children who had been deported by Thai authorities and sent back over the border to the MOSAVY-run Poipet Transit Center. (14)

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During the reporting period, labor inspections were halted for several months at the height of the pandemic and moved instead to Internet-based assessments and factory self-assessments. MOLVT held trainings for labor inspectors on these changes. However, the National Committee on Countering Child Labor (NCCL) continued conducting joint labor inspections with inspectors from other labor bureaus in the garment sector—in parallel with the ILO's Better Factories Cambodia inspections—to improve inspection efficiency while continuing to implement its zero-tolerance policy for child labor. (10,14,39) Children discovered in garment factories are immediately removed and placed in vocational training or other studies, and upon reaching the legal working age, are guaranteed employment. (10,14,22,74) Children discovered working in other sectors are removed and referred to MOSAVY for assessment. (9,10,75)

The NCCL relies on other bureaus within MOLVT to alert them to possible child labor issues in their specific sectors before inspections occur. Due, however, to the segregated nature of MOLVT, bureaus are not equipped with the proper technical training and expertise to identify child labor, resulting in bureau staff typically asking very few questions during inspections. (9,10) In an effort to improve labor inspectors' performance, MOLVT requires that, in order to continue working as labor inspectors, all national-level labor inspectors take and pass a yearly online examination that aims to assess and improve overall technical skills and legal knowledge; it is unknown whether this training took place in 2020. (10,39,76) During the reporting period, the government issued two new *prakas*—ministry-level regulations—that established joint inspection teams composed of officials from MOLVT, the Ministry of Industry and Handicrafts, the Ministry of the Environment, and the Ministry of Tourism. These teams are tasked with monitoring adherence to labor laws in the garment, tourism, industrial, handicraft, and entertainment and nightlife sectors. (14,39,77,78) However, MOLVT was unable to cite any specific examples of such joint inspections occurring in 2020, and acknowledged that these *prakas* have not been fully implemented. (14)

The government only proactively inspects two sectors for child labor: the brick kiln industry and the export garment sector. During the reporting period, MOLVT cited the construction and entertainment industries as two additional focus areas for inspections. (10,14,74) However, research indicated that labor inspectors were rarely able to conduct inspections in the constructions sector, as owners who were closely affiliated with government officials were able to obstruct labor inspectors from accessing their properties. (10,14,28,39,76) MOLVT officials said they had not yet conducted inspections in the entertainment sector, in part because they were not sure if they had sufficient legal authority to do so. (71) In the brick kiln industry, authorities often provided brick kiln owners with advance notice of inspections, enabling them to conceal abuses, including child labor violations. In addition, many police officers are unaware that the policing of brick kilns falls under their investigative purview. (11)

The government, the ILO, and NGOs all agree that the labor inspectorate is insufficiently funded, resulting in insufficient training opportunities for labor inspectors and an insufficient number of labor inspections. This, in turn, impacts the ability of the labor inspectorate to conduct inspections outside of Phnom Penh and in rural communities due to lack of funding for transportation costs, resulting in most child labor inspections occurring in the city of Phnom Penh and in the provincial, formal-sector factories rather than in rural areas in which a majority of child laborers work. (6,9,10,14,48,76) The lack of funding is also one factor preventing the labor inspectorate from conducting inspections in hospitality and nightlife establishments after business hours, because the labor inspectorate is unable to pay inspectors for overtime work. (9,14,48) In addition, the labor inspectorate does not have the ability to inspect child labor abuses on private farms or domestic work, which is overseen by the Sub-National Committee of Women and Children. Police, however, investigated cases of violence against child domestic workers. (9,10,14) While unannounced inspections are permitted, they rarely happen in practice. (9,10,14,52)

According to the government, the labor inspectorate will have sufficient funding in 2021 due to the passing of a new *prakas* called the "Joint Prakas on Public Service Fees." This new regulation, which was approved in March 2020, requires factories in the garment, footwear, and travel goods sectors to pay an annual fee of \$250 towards

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a fund that will help cover the cost of announced inspections. (14,79) Enterprises in other sectors have to pay an annual fee of \$100. Government officials noted that this new regulation will help rectify the previous insufficiency in labor inspectorate funding. (14,79)

MOLVT has established regulations for children on hazardous work in several sectors, including in agriculture, brickmaking, and fishing. However, malfeasance within MOLVT and law enforcement agencies limits the capacity of local authorities to adequately enforce these regulations, resulting in penalties related to the worst forms of child labor rarely being imposed in accordance with the law. (8-10,14,48,80-82) Overall, research indicates that the government lacks the capacity to deal with child labor and is overwhelmed by the scale of the issue, particularly in Preah Sihanouk, leading to an increase in the number of child laborers at construction sites and entertainment venues, including casinos, hotels, and karaoke bars. (10,14) Such child labor has become less common since Cambodia banned online gambling in 2019, which resulted in the closure of most casinos and the suspension of many construction projects. However, NGOs report that this has been replaced by a rise in child begging and other street work due to the economic impact of the pandemic and lack of economic opportunities. (71)

The government did not publish data on the number of labor inspections conducted at worksites.

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Cambodia took actions to combat child labor (Table 7). However, gaps exist within the operations of the Cambodian National Police that may hinder adequate enforcement of their child labor laws, including training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (10)	Unknown (14)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (14)
Refresher Courses Provided	Yes (10)	Unknown (14)
Number of Investigations	7 (10)	21 (39)
Number of Violations Found	30 (10)	31 (14)
Number of Prosecutions Initiated	Unknown (10)	Unknown (14)
Number of Convictions	Unknown (10)	Unknown (14)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (14)

Research found that criminal law enforcement officials, writ large, continued to fail to take significant actions on credible reports of government officials being complicit in the worst forms of child labor, including at entertainment establishments in which the commercial sexual exploitation of children is known to occur, and at brick kilns whose owners may subject families, including children, to debt-based forced labor in brick kilns. (11,14,24,48,75) In particular, police officers have reported that they sometimes avoid investigating child labor complaints at brick kilns, and instead assist in the capture and jailing of runaway brick kiln workers to avoid potential retaliation by politically connected owners who use their connections to avoid potential investigations and fines. (11,30,54,74,83) In 2020, the government failed to make significant efforts to investigate, prosecute, or convict government officials complicit in the worst forms of child labor. However, in February 2021, Prime Minister Hun Sen ordered that the Cambodian National Police arrest a district police chief accused of releasing a labor broker after they were arrested for facilitating the illegal movement of Cambodian migrant workers into Thailand; the case remains pending. (11,24,28,54,75)

In 2020, government officials profited directly from the commercial sexual exploitation of children and indirectly by being permissive of it, especially when undertaken in establishments owned by those with ties to the government. (11,28,74,84) Furthermore, research found that owners of entertainment establishments at which child sexual exploitation is known to occur sometimes used their connections to law enforcement officials to

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avoid investigation, prosecution, and fines. (11,24,54,74,84) Research also found instances when raids into these establishments were thwarted by “tip-offs” from working-level police in advance of the raids. (11,24,28) To minimize internal leaks, some provincial police chiefs turned over cases to the Anti-Human Trafficking Juvenile Police, which conducted independent raids without notifying the local authorities until moments before they began. (11,28)

Anti-trafficking police units lack the specific legal authority to conduct undercover trafficking in persons investigations, which constrains their ability to pursue human traffickers, including those involved in child sexual exploitation. (10,11,24,27,48,43) The government says it grants such authority to police on a case-by-case basis. (71) With the increasingly clandestine nature in which sex trafficking operations occur, anti-trafficking police were limited to investigating more obvious manifestations, including sex-on-premise establishments in which victims were more likely to self-report and testify. (11) In addition, many law enforcement officials, particularly those located in rural areas, are unaware of how to properly conduct anti-trafficking work, as most have not received training on basic law enforcement techniques. (11,24,28) Furthermore, law enforcement officials investigating suspected human trafficking cases are expected to personally cover all expenses, including transportation costs, and are rarely reimbursed in full or on time. This has led to officials reportedly pursuing cases for which costs will be covered on their behalf, and makes some law enforcement units more susceptible to malfeasance. (10,11,24,74)

Research also found that local officials allegedly facilitated cross-border human trafficking by accepting bribes to forge identity documents. (11) Intimidation of human trafficking victims and their families also occurred during the reporting period, perpetuated by a government regulation that bars NGOs from assisting human trafficking victims in seeking formal recognition and obtaining the required identification from the government to receive available victim services. This forced victims and their families to have to interact directly with criminal law enforcement authorities, resulting in most victims declining to file complaints and obtain the IDs necessary to receive services. (11,28)

In Cambodia, judges have discretion to determine whether perpetrators of crimes related to child labor will be imprisoned or fined and the amount of the fine. The penalties imposed are not uniformly administered and do not adhere to the parameters prescribed by law. (3,11,54) In some cases, citing resource constraints and pandemic-related shutdowns, not all trafficking in person cases were brought to court despite evidence being supplied by the police. Prosecutors and judges have been known to accept bribes in return for dismissal of charges, acquittal, and reduced sentencing, especially for those with alleged ties to the government. (11,27,28,54,74) Research also found that law enforcement misused resources at their disposal to detain, prosecute, and convict some individuals for politically motivated reasons or spurious trafficking in person charges. (11) Furthermore, law enforcement generally focused on deterring foreign involvement in CSEC, despite the fact that the local population constituted the main sources of demand. (11,28)

During the reporting period, the Phnom Penh Municipal Court opened the trial of a Chinese man and four Cambodians for allegedly trafficking at least four Cambodian girls to China to be brides for Chinese men. In October, prosecutors ordered the detention of an employer for torturing her 17-year-old domestic worker. (14) In addition, law enforcement authorities reported arresting five foreign individuals suspected of engaging in CSEC, but did not report whether they initiated prosecutions in any of these cases. (11)

Research indicates that the use of “judicial supervision,” where defendants are released on their own recognizance in advance of trial, has resulted in as many as 30 percent of human trafficking suspects not returning to participate in their criminal trials as law enforcement lacks the resources to monitor defendants. This severely limits the ability of law enforcement officials to hold criminals accountable, putting the population at risk. (11,24,28) Due to a lack of resources, including personnel, and a lack of clear guidelines in the criminal procedural code regarding judicial supervision, law enforcement rarely issued arrest warrants for absconded defendants unless NGOs were available to assist in the apprehension of said defendants. (11) In addition, the government has yet to fully implement the “Child Friendly Court” program that will make it easier for child



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victims to provide testimony by using video-conferencing technology instead of confronting defendants in person, which can result in re-traumatization. (11,24)

Cambodian law outlines channels for victim restitution, and research indicated an increase in the number of verdicts ordering traffickers to pay some form of financial recompense to victims. However, this restitution was extremely difficult to obtain due to a legal requirement delaying payment until after the completion of the trafficker’s jail term; convicted traffickers’ frequent abscondment further complicated this arrangement. (11,27,28) Coupled with the government lacking a procedure on how to calculate compensation, victims rarely received the amount promised, and many victims’ families settled out of court with traffickers or accepted bribes to drop the relevant charges. (11,27,28)

The government's ability to properly save and store data related to the worst forms of child labor was found to be inadequate, due to outdated data collection storage platforms and a lack of resources, including training, equipment, and funding. (24,28,39) The government did not provide information on initial training for new employees, refresher courses, the number of prosecutions initiated, the number of convictions, or the number of imposed penalties for violations related to the worst forms of child labor for inclusion in the 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 the efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Child Protection Committees	<p>Cambodian National Council for Children coordinates child labor issues at the national level, including implementation, monitoring, and evaluation of all child rights policies and programs. (8,26,27,39) Ensures that projects and programs follow the National Plan of Action on the Reduction of Child Labor and Elimination of the Worst Forms of 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) Coordinates all government ministries, institutions, international NGOs, development partners, and the community in promoting and protecting children's rights. (85) Oversees the National Child Protection Commission that coordinates and collaborates with government, civil society organizations, and NGOs. (86) During the reporting period, created a working group to discuss plans on how to prevent online sexual exploitation of children (OSEC) by strengthening local governance and providing parents with information on how to monitor children's online activity. Held a 2-day workshop on investigative and judicial processes, and how to improve child protection in relation to OSEC. (47,87) Participants included 152 law enforcement officers, including 25 capital-provincial anti-human trafficking and juvenile protection officers and 12 anti-human trafficking officers from the Military Police. (39,87) In addition, provided a workshop on actions to combat CSEC to 73 participants, including children’s guardians, and provided relief assistance to 570 families in 6 provinces. (39)</p> <p>National Committee on Child Protection coordinates inter-ministerial action on strengthening Cambodia's child protection system, and preventing and combating all forms of abuses and violence against children. (14) Reviews and addresses gaps in the legal framework, government policies, and national action plans related to child protection and promoting the effectiveness of law enforcement. Provides technical advice and assistance to enhance child protection. (14) In January 2020, released initial analysis of OSEC in Cambodia and held a workshop on OSEC with 65 participants at the national, regional, and provincial levels to promote awareness of increased vulnerability during the pandemic. (14,39)</p> <p>National Committee to Prevent and Respond to Violence Against Children implements the National Action Plan to Prevent and Respond to Violence Against Children, and coordinates, promotes, and monitors implementation activities of the national action plan. (14) During the reporting period, publicized the 2020 World Day Against Child Labor and conducted training on "positive parenting tools" designed to prevent violence against children in the home and promote better communication strategies to 9,751 parents in 6 targeted provinces. (14) Held Ministry of Social Affairs, Veterans, and Youth Rehabilitation (MOSAVY)-led capacity building workshop on Law on Juvenile Justice for 340 local officials. (14) Conducted training on "Guidelines on Managing Violence Against Women and Children in the Health System" for 354 trainers in 15 referral hospitals and 135 health centers in 8 provinces. Coordinated with national police to provide special child protection rooms at local police stations in 25 communes in 5 priority provinces. (14)</p> <p>National Homeless Committee* aims to address and resolve issues related to homelessness and homeless people, including children. Established in 2020 and chaired by MOSAVY. (14,39)</p>

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

Coordinating Body	Role & Description
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 at the local level. Led by Ministry of the Interior's Director General of General Department of Local Administration. (21,26,39,88) Research was unable to determine whether this coordinating body was active during the reporting period.
Anti-Human Trafficking in Persons Committee	National Committee for Counter Trafficking (NCCT) coordinates government, NGO, civil society, and private sector efforts to address trafficking in persons and sexual exploitation. (24,26,28,89) Produces an annual report documenting the government's anti-trafficking in persons efforts. (28) Focuses on children's affairs, international cooperation, justice, law enforcement, migration, prevention, protection, recovery, reintegration, and repatriation. (90) Chaired by the Deputy Prime Minister and the Ministry of Interior, with 4 vice chair ministries and 14 participating ministries. (3,27,70) Oversees Provincial Committees for Counter Trafficking in each province. (3,28,70) Has six working groups with inter-ministerial membership, each chaired by one ministry, including Prevention (Minister of Education); Protection, Recovery, Reintegration, and Repatriation (Minister of Social Affairs); Law Enforcement (Chief of the Cambodian National Police); Justice (Minister of Justice); International Cooperation (Minister of Women's Affairs); and Migration and Labor (Minister of Labor). (24,27,28) During the reporting period, maintained a monitoring working group to oversee the efforts of the inter-agency committee and provincial subcommittees. In addition, delivered 192 trainings to 7,491 law enforcement officers on anti-trafficking in persons laws, investigative techniques, and evidence collection. (28) Collaborated with NGOs to train 10,000 tuk-tuk drivers in Phnom Penh on how to identify suspicious activity. (91) Maintained victim identification manual and screening tool app in use at the Poipet Transit Center, and provided service provider contact information to victims. (11,26,74) Produced an annual report documenting anti-trafficking efforts; however, the report was not exhaustive amidst insufficient data collection. Hosted interfaith forum on combating human trafficking attended by high-level government officials and religious leaders. (11) In addition, partnered with the Ministry of Tourism to produce billboards, signs, posters, pamphlets, and other materials targeting potential perpetrators of CSEC, and participated in a counter-trafficking in persons inter-ministerial meeting co-hosted by the U.S. Embassy and the Ministry of Women's Affairs focused on analyzing government efforts. (11,14,28,39)  Online Child Sexual Exploitation (OSEC) Committee* is overseen by the Cambodia National Council for Children and was established in 2020. (14,39) Works in collaboration with nearly 20 institutions and ministries to combat online abuse and exploitation of children. (39)
Coordinated Mekong Ministerial Initiative Against Trafficking (COMMIT)	High-level policy dialogue comprising the six nations of the Greater Mekong Sub-Region. Meets regularly to discuss regional anti-trafficking agenda and share information. (24,28,92) Coordinates through Cambodian COMMIT Task Force, chaired by senior officials from the ministries of Justice and Women's Affairs. (24,28) Maintains annual COMMIT Work Plan with anti-trafficking programming and policies. (92) UN Action for Cooperation against Trafficking in Persons acts as COMMIT Secretariat and convenes meetings. (92) During the reporting period, the Ministry of Women's Affairs attended a virtual COMMIT Regional Taskforce meeting and the 14th COMMIT Senior Officials' meeting to discuss the Comprehensive Approach to Combating Human Trafficking. (28,39)
Ministry of Tourism—Child Safety Committee in the Tourism Sector	Child Safety Committee in the Tourism Sector works to prevent and protect the sexual exploitation of children in travel and tourism. Located in 24 provinces in Cambodia. (27)

\*Coordinating body was established during the reporting period.

During the reporting period, the government entered into an agreement with the Government of Thailand to establish standard operating procedures (SOPs) on bilateral anti-trafficking in persons law enforcement cooperation. The SOPs will establish official conduits for cooperation and information sharing between the two countries related to: 1) migrants and trafficking in persons; 2) regulating timely and effective investigation and prosecution on trafficking in persons; 3) outlining policies to govern victim rescue, and; 4) giving victims and witnesses additional legal protection. (28)

The Commune Committees for Women and Children continue to be underfunded. (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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Plans of Action on Combating the Worst Forms of Child Labor	<p>National Plan of Action on the Reduction of Child Labor and Elimination of the 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) Overseen by MOLVT. (14) During the reporting period, provincial committees to counter child labor prepared 5-year progress reports to be approved by the National Committee to Counter Child Labor. (14,39) Creates a roadmap to the complete eradication of the worst forms of child labor by 2025 in various sectors, including services, agriculture, mining, and energy. (23,39,66,85) Mandates awareness-raising activities, legal action, and collaborations with civil society actors. (85) During the reporting period, mandated the inspection of brick kilns. Resulted in the establishment of provincial committees, which will prepare 5-year progress reports for approval by the National Committee to Counter Child Labor. (39)</p> <p>Third 5-Year National Plan of Action on the Suppression of Human Trafficking, Smuggling, Labor, and Sexual Exploitation (2019–2023) is coordinated by NCCT, with input from the ministries of Justice; Women's Affairs; Foreign Affairs; Labor; and Social Affairs, Veterans, and Youth Rehabilitation. (9) 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. (90) Focused on four strategies: 1) strengthening cooperation in the formulation and implementation of laws, policies, and legal standards; 2) promoting efforts to prevent of all forms of human trafficking; 3) strengthening the criminal justice system; and 4) increasing protection of victims. (28) This policy was implemented during the reporting period. (39)</p>
Action Plan to Prevent and Respond to Violence Against Children (2017–2021)	<p>Led by the Ministry of Women's Affairs. (69,86) Developed in response to the Cambodia Violence Against Children Survey conducted in 2013. (27,86) Aims to prevent and respond to violence against children, including the worst forms of child labor. (27,44,93) Provides OSEC-related interventions in policy and governance, including: providing training for teachers and developing curriculum to help children build online safety skills; providing OSEC materials to law enforcement; and developing an online hotline to help identify platforms that support the perpetuation of OSEC. (10,27) Works to properly assess the scale and specific nature of OSEC in Cambodia to inform developments. (10) During the reporting period, began drafting a Law on Child Protection and corresponding procedures for alternative care for children (such as adoption), including a <i>prakas</i> on child reintegration services. (14,39)</p>
National Policies on the Elimination of Child Labor in the Fisheries and Agricultural Sectors	<p>Action Plan for Gender Equality Promotion and Child Labor Elimination in the Fisheries Sector (2016–2020) was overseen by the Ministry of Agriculture, Forestry and Fisheries under the Fisheries Administration of Cambodia (FiA). Aligned with the Strategic Planning Framework for Fisheries (2010–2019). (23) Sought to prevent and withdraw children from child labor and hazardous work in the fisheries sector. (94) During the reporting period, implemented awareness-raising activities, including four training workshops conducted in Kampong Chhnang and Pursat provinces with 60 participants, including 32 women. (39)</p> <p>The National Action Plan on the Elimination of Child Labor in Fisheries (2010–2020) was overseen by the Ministry of Agriculture, Forestry, and Fisheries under the FiA. Aligned with the Strategic Planning Framework for Fisheries (2010–2019). During the reporting period, began drafting 5-year action plans for 2021–2025. (39)</p> <p>Policy on Childhood Development and Protection in the Agricultural Sector (2016–2020) established a strategic framework to protect children working in the agricultural sector. Sought to prevent and reduce child labor, especially in hazardous work, and improve agricultural vocational training for youth ages 15–17. (7) Research was unable to determine actions taken to implement this policy during the reporting period.</p>
National Child Protection Policies	<p>National Social Protection Policy Framework (2016–2025) aims to implement the national strategic plan to ensure income security for all citizens, promote their welfare, strengthen social solidarity, and maximize the impact of poverty alleviation. (14) Research was unable to determine actions taken to implement this policy during the reporting period.</p> <p>National Social Protection Strategy (2017–2021) aims to expand access to healthcare, nutrition, and educational services, and to promote the elimination of the worst forms of child labor. (95,96) Research was unable to determine actions taken to implement this policy during the reporting period.</p> <p>Capacity Development Plan for Family Support, Foster Care, and Adoption (2018–2023) is overseen by MOSAVY. Improves services for children without parental care who are vulnerable to child labor, ensuring they can still live in a family setting. (9) Maintains a comprehensive database of all children living in residential and foster care. Funded by USAID through UNICEF. (9) During the reporting period, through technical support from UNICEF and Save the Children, MOSAVY revised the draft plan, which is pending ministerial approval. (39)</p> <p>Education Strategic Plan (2019–2023) seeks to ensure equitable access to education and improve the education system's response to human trafficking and child labor. (97) During the reporting period, adopted the Continuous Professional Development (CPD) Framework for Teachers and School Directors, the National Strategy for Development of Education Statistics, the Teacher Education College 5-Year Strategic Plan, the Performance Management System and Performance Appraisal, and the Community Preschool Curriculum and National Action Plan on Inclusive Education for Children with Disabilities. In addition, approximately 32 percent of all early grade teachers in Cambodia were trained on early grade reading. (39) Furthermore, 122,228 scholarships and one meal a day were provided to primary and secondary school students to promote access to school and prevent dropouts. (39)</p>

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

Policy	Description
Strategic and Operational Plan for the Implementation of Juvenile Justice Law (2018–2020)	Overseen by MOSAVY, funded by UNICEF. Sought to build a sustainable juvenile justice system, and to provide effective protection and support to incarcerated juveniles who were vulnerable to child labor. (9) During the reporting period, focused on building a sustainable juvenile justice system, and providing effective protection and support to children in conflict with the law. As a result, children in conflict with the law who were in correction centers could more easily access education, healthcare, counseling, and guidance on vocational training. (14)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (90,97-100)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2020, 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 (2015–2020)	\$10 million, USAID-funded, 5-year (included a 1-year cost extension) 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. (69,101) During the reporting period, produced 919 social media posts on safe migration and human trafficking, reaching more than 1 million Cambodians. Distributed 1,700 information cards on safe migration and on how to disseminate information to others to prevent human trafficking. (14) Continued to support a free job-seeking platform, <i>Bong Pheak</i> , on which employers can post job opportunities for low-skilled and unskilled job seekers. In 2020, <i>Bong Pheak</i> registered 190 employers and posted 1,325 positions on its platform. (14)
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. (8,69,102) Additional information is available on the program's website. During the reporting period, completed 300 factory assessments and found 4 cases of child labor. Plans to expand assessments to travel goods sector and make joint assessments with MOLVT labor inspectors in mid-2021. (14)
UN WFP Country Program† (2020–2024)	Multi-government and private sector-funded program implemented in collaboration with the Government of Cambodia that includes a school feeding program for children in need. (103) During the reporting period, provided \$600,000 in emergency assistance to help 3,725 families affected by natural disasters to purchase food, including \$100,000 in emergency food distribution to more than 2,550 families in Pursat Province. (14)
Child Protection Programs: Family Care First (FCF REACT) (2015–2023) and Cambodia Child Protection Program	Family Care First (FCF REACT) is led by MOSAVY. Funded by the European Union, USAID, the GHR Foundation, Save the Children Hong Kong, and UNICEF. (37,69) Aims to support more than 7,000 Cambodian children to live in safe, nurturing, family-based care. (37,69,104) Secretariat and Advisory Board collaborate with ministries, institutions, and relevant NGOs to review, amend, and develop policies, legal standards, concept notes, and strategic plans to support the common goal of ensuring safe, nurturing family-based care for Cambodian children. (10) During the reporting period, USAID expanded monetary support through 2023 and MOSAVY provided non-monetary support. Endorsed and launched the Guidelines of Basic Competencies for Social Workforce and the Guidelines for Case Management during Infectious Disease Outbreaks. (14,72,73)  Cambodia Child Protection Program (2009–2023) is led by UNICEF and MOSAVY. Aims to strengthen the child protection system in Cambodia and to prevent and reduce violence against children and unnecessary family separation. (14,39) Builds capacity of national and sub-national authorities in all 25 provinces to formulate and implement nationally approved institutional and legal frameworks. Includes capacity building of the government and civil society child protection workforce to provide direct service delivery to vulnerable children and families. (14) During the reporting period, extended program through 2023 with MOSAVY providing non-monetary support. Continued technical support to the development of the Child Protection Law and the Child Protection Sector Plan. (14) Trained and deployed 20 new social workers to support children and families during the pandemic by providing awareness-raising trainings on violence against children. (14,39)
Cambodia Consortium for Out of School Children—Phase II (2017–2023)	Implemented by Education a Child, Aide et Action, and the Cambodian Consortium for Out of School Children, in collaboration with the Ministry of Education, Youth, and Sports. (105-108) Aims to improve access to equitable, high-quality education in 25 provinces in Cambodia for over 116,000 primary school children who are out of school. Focus is on equitable access, quality education, ownership, and accountability. (105,107)

† 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. (109)

During the reporting period, the Cambodian Government, with support from the Australian and German Governments, reinvested in a 2018 cash-transfer program called the Identification of Poor Households (IDPoor).



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This program allowed the government to provide financial assistance to the most vulnerable populations during the pandemic, including children ages 0 to 5, thus preventing children from engaging in child labor. (39, I 10-I 12) From June 2020–January 2021, over 685,000 families received approximately \$200 million through the IDPoor program. (39)

In addition, MOSAVY disseminated its guidelines on the “Minimum Standards on Residential Care for Victims of Human Trafficking and Sexual Exploitation” to shelters and other relevant stakeholders to address the management and proper care for victims of human trafficking and sexual exploitation living in residential care facilities in Cambodia. (28)

The government lacked sufficient funding to put a system in place to monitor and promote the reintegration of victims of forced labor and human trafficking, including children, leaving victims vulnerable and at higher risk of re-victimization, and leaving the government heavily reliant on NGOs to fill this need. (11,27,28,74)

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, I 13) Although Cambodia has implemented programs that target child labor, the scope and resources provided to these programs is insufficient to fully address the extent of the problem. (9,10)

## 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 I I).

**Table I I. 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 and child household workers employed by their relatives.	2018 – 2020
	Criminally prohibit the offering and use of a child for pornographic performances.	2015 – 2020
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Institute a compulsory education age that is at least equal to the minimum age for work.	2009 – 2020
Enforcement	Build the capacity of labor law enforcement authorities to enforce child and forced labor regulations by providing more technical training opportunities on how to properly identify child labor during inspections, and offer sufficient resources to labor law authorities to ensure the enforcement of child labor laws through investigations and inspections, including unannounced inspections.	2012 – 2020
	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 – 2020
	Collect, properly store, and publicly release disaggregated data on labor and criminal law enforcement efforts, including the number of inspections conducted at worksites, initial training for new criminal investigators, refresher courses, 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 – 2020
	Ensure that malfeasance is addressed in all law enforcement agencies, including not accepting bribes to influence the outcome of cases or forging identity documents for trafficking in persons purposes, providing tip off in advance of raids, and investigating and prosecuting politically connected individuals and government officials who are complicit in facilitating and profiting from the worst forms of child labor, including debt-based forced labor in brick kilns.	2019 – 2020
	Ensure that all criminal law enforcement officials are sufficiently trained on the techniques of how to conduct anti-trafficking work, particularly those located in rural areas and in brick kilns.	2019 – 2020
	Ensure that funding for criminal law enforcement agencies is sufficient to cover all expenses, including transportation costs, for law enforcement officials.	2019 – 2020
	Address the misuse of resources by law enforcement to convict defendants for politically motivated reasons, and ensure that all individuals accused of commercial sexual exploitation of children are prosecuted and charged according to the law.	2019 – 2020
	Protect and prevent intimidation of trafficking victims and allow them access to protection services pending court proceedings.	2020

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the Commune Committees for Women and Children is able to carry out its intended mandate.	2019 – 2020
	Increase funding for Commune Committees for Women and Children.	2016 – 2020
	Ensure that annual reports produced by the National Committee for Counter Trafficking are comprehensive.	2020
Government Policies	Publish activities undertaken to implement the Policy on Childhood Development and Protection in the Agricultural Sector, the National Social Protection Policy Framework, and the National Social Protection Strategy during the reporting period.	2019 – 2020
Social Programs	Release the 2019 child labor survey and make the data publicly available.	2020
	Ensure that Residential Care Facilities and orphanages protect the health and well-being of children living in them.	2019 – 2020
	Increase access to free basic education by eliminating unofficial school-related fees and addressing issues related to limited transportation and inadequate school infrastructure, including the number of teachers, and the need for a birth certificate to enroll in school.	2013 – 2020
	Establish a system to accurately capture and monitor the reintegration of victims of the worst forms of child labor, including human trafficking.	2019 – 2020
	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 – 2020
	Provide sufficient resources to all social programs so that they can fully address the extent of child labor in Cambodia, including online sexual exploitation of children.	2019 – 2020

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In 2020, Cameroon made moderate advancement in efforts to eliminate the worst forms of child labor. The government ratified the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography. Cameroonian police also arrested members of an international trafficking network that operated in Cameroon, Gabon, Equatorial Guinea, and Chad. In addition, the Forever Chocolate program, which provides school kits and livelihood support to families as a means to combat child labor in the production of cocoa, was expanded to Nkondjock, Sangmelima, Mbalmayo, and Ayos. However, children in Cameroon are subjected to 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. In addition, the government has not prohibited the use of children in illicit activities, including in the production and trafficking of drugs, and it has not prohibited the recruitment of children under age 18 by non-state armed groups. Furthermore, labor inspectors do not regularly conduct inspections in the informal sector, in which the majority of child labor occurs.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Cameroon are subjected to 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	43.7 (Unavailable)
Attending School (%)	5 to 14	80.0
Combining Work and School (%)	7 to 14	42.4
Primary Completion Rate (%)		65.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 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	Production of bananas, cocoa, palm oil, onions, and tea, including handling pesticides, using machetes, clearing fields, climbing trees, and lifting heavy loads† (6-9)
	Raising livestock (7-10)
	Fishing (7-11)
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 (3,7-9,12-15)
	Construction, including carrying heavy loads† of water, concrete, cement, and bricks (8,9)
Services	Domestic work (6-10)
	Working in restaurants and as phone booth operators (6-10)
	Working in transportation (6-10)
	Street work, including carrying heavy luggage and selling bush meat,† vending, and begging (6-10,16)

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**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 (3,6-9,14,15)
	Recruitment of children by <i>Boko Haram</i> , a non-state armed group, for use in armed conflict, including as suicide bombers and concubines and recruitment of children by community watch groups for strategic operations. In addition, Anglophone separatists recruited and used child soldiers in the Southwest and Northwest Regions, both for fighting government forces and for gathering intelligence, according to observers. (8,9,17)
	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 (3,7-9,14,15,18)
	Forced begging as <i>talibés</i> in Koranic schools (3,8,9,14,15)

† 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.

Cameroon is a source, transit, and destination country for child trafficking from neighboring countries in Central and West Africa. (3,15,19) 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. (3,9,15) An ongoing crisis in the Anglophone regions has contributed to a dramatic increase in underage prostitution, especially in areas with significant numbers of IDPs. (8)

The crisis in the Anglophone Northwest and Southwest Regions that began in 2016 as mass protests by lawyers and teachers has since evolved into an armed separatist conflict with more than 3,000 persons killed, more than 44,000 refugees, and more than 500,000 IDPs. Armed separatist groups have called for and violently enforced boycotts of schools in the Northwest and Southwest Regions leading to long-term disruptions of education for children. (6,9,20,21) Separatists frequently attacked and kidnapped students and teachers who attended classes, often releasing them only after collecting ransoms or incorporating them into their ranks to fight against government forces. On October 24, 2020, alleged separatists killed at least seven children attending classes at Mother Francisca International Bilingual Academy in Kumba, Southwest Region. (9,22) UNICEF stated in a September report that only 1,600 out of a total of 6,400 public schools were functional in the Anglophone regions. On October 8, the UN Office for the Coordination of Humanitarian Affairs reported that only 19 percent of the 70,000 elementary school students in the Northwest Region, and 27 percent of 151,000 students in the Southwest Region were attending school due to fears of separatist reprisals. (9,23) Children in refugee or IDP camps are particularly vulnerable to the worst forms of child labor, including commercial sexual exploitation, and may have a more difficult time accessing education due to a lack of school infrastructure, including potable water and sanitation facilities, teachers, and resources to pay for school-related expenses. (10,24)







In the Far North Region, terrorist activity by *Boko Haram* and *ISIS-West Africa* have also disrupted children’s schooling. The disruption of children’s access to education places children at high risk of becoming victims of exploitation and child labor. (9,25,26) In 2020, in the Far North Region, *Boko Haram*, which our report identifies as a non-state armed group, recruited and used 71 children in their operations including at least 2 children as suicide bombers. Of these 71 children, 49 were abducted. (9,17) *Boko Haram* also continues to forcibly recruit Cameroonian children as porters, cooks, and scouts. *Boko Haram* also used girls as forced suicide bombers and sex slaves and boys as child soldiers. (8,9,17) Some community neighborhood watch groups, known as *Vigilance Committees*, may have also coerced and recruited children as young as age 12 to serve as scouts against *Boko Haram*, although there is no evidence that suggests government sponsorship of such activities. (8,9)

The government requires children to have identification documents, including birth certificates, to fully access education. The Ministry of Basic Education identified 1,785,668 of the 4,942,000 primary students registered for the 2020–2021 academic year as not having birth certificates. (9) While there are no reports suggesting the authorities prevented access to education for children, those without birth certificates often found it difficult to register for end-of-course examinations to enter secondary school, which sometimes led students to drop out of school and, therefore, put them at a greater risk for being subjected to child labor. (9)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Cameroon 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 January 2020, the Government of Cameroon ratified the UN Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography that Cameroon signed in October 2001. (9)

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° 17 on Child Labor; Section 86 of the Labor Code (27,28)
Minimum Age for Hazardous Work	Yes	18	Articles 9–23 of Order N° 017 on Child Labor; Section 86 of the Labor Code (27,28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 9–23 of Order N° 017 on Child Labor (28)
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, and 352–353 of the Penal Code; and Section 2 of the Labor Code (27,29,30)
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 (29,30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 294 and 344–347 of the Penal Code; Articles 76 and 81–82 of the Law on Cybersecurity and Cybercriminality (29,31)
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 (32,33)
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 (32,33)
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 (34,35)
Free Public Education	No		Article 46-2 and Articles 47–48 of the Decree on the Organization of Public Schools (36)

\* No conscription (37)

‡ Age calculated based on available information (38)



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Children in Cameroon are only required to attend 6 years of primary school, which typically concludes at age 12; this standard makes most children ages 13 through 14 vulnerable to child labor as they are not required to attend school but are not legally permitted to work. In addition, there is no free basic education for children in Cameroon as established by law, increasing the risk of children's involvement in child labor. (32,33) Human trafficking provisions do not meet 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. (29,30) In addition, the types of hazardous work prohibited for children under age 18 are not comprehensive, as work at dangerous heights is not prohibited. (28,39)

### 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 enforcement agencies 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 (MINLSS)	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) and the labor inspectorate. (11,40)
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. (41)
General Delegate for National Security (DGSN)	Enforces laws against the worst forms of child labor and investigates violations in urban areas. (41) Through its Special Vice Squad, investigates cases of human trafficking, commercial sexual exploitation, and other forms of abuse against women and children. (39,41) Refers cases to MOJ or the Ministry of Defense for investigation by SED. (42)
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. (42) Operates two toll-free numbers, 1501 and 113, for the reporting of human rights abuses, including trafficking in persons. (43)

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. (10,44) Local representatives from the Ministry of Territorial Administration may settle child labor disputes or refer the case to the Ministry of Defense's National Gendarmerie, the General Delegate for National Security (DGSN), or the Ministry of Justice (MOJ) for further investigation and prosecution. (42) Article 109 of the Labor Code authorizes inspectors to take direct legal action before the court against people infringing on the provisions of the labor law. (8)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Cameroon took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security (MINLSS) 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	2019	2020
Labor Inspectorate Funding	\$1.2 million (8)	Unknown (9)
Number of Labor Inspectors	300 (8)	300 (9)
Inspectorate Authorized to Assess Penalties	Yes (8)	Yes (9)
Initial Training for New Labor Inspectors	Yes (8)	Yes (9)
Training on New Laws Related to Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	Yes (8)	Unknown (9)
Number of Labor Inspections Conducted	6,100† (8)	3,591 (9)
Number Conducted at Worksite	6,100† (8)	3,591 (9)

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

Overview of Labor Law Enforcement	2019	2020
Number of Child Labor Violations Found	0 (8)	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	N/A (8)	Unknown (9)
Routine Inspections Conducted	Yes (8)	Yes (9)
Routine Inspections Targeted	Yes (8)	Yes (9)
Unannounced Inspections Permitted	Yes (8)	Yes (9)
Unannounced Inspections Conducted	Yes (8)	Yes (9)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

† Data are from January 1, 2019 to October 31, 2019. (8)

The government did not provide certain information related to labor law enforcement efforts, including labor inspectorate funding and number of child labor violations found. According to the ILO's technical advice of 1 inspector for every 15,000 workers in industrializing economies, Cameroon should employ about 660 labor inspectors but currently employs only 300. (9,37,40,41,45,46) Furthermore, inspectors are tasked with conciliation duties that may detract from time devoted to their primary duties; and labor inspectors do not regularly conduct inspections in the informal sector in which the majority of child labor occur. (8,9,27,47-49) In the formal sector, inspectors in the East Region Delegate of Social Affairs found that 605 children were subjected to child labor in 29 mining sites in the region. In general, the labor inspectorate lacked resources during the reporting period, and field inspectors, in particular, lacked transportation. (8,9)

Although the government has not created a formal mechanism for filing and responding to complaints about child labor, victims and their relatives can report directly to any of the institutions, including the Ministry of Social Affairs (MINAS), MINLSS, State Defense Secretariat, or MOJ. (6,9)

### **Criminal Law Enforcement**

In 2020, 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 allocating financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	Yes (8)	Yes (9)
Number of Investigations	Unknown (8)	Unknown (9)
Number of Violations Found	Unknown (8)	Unknown (9)
Number of Prosecutions Initiated	Unknown (8)	Unknown (9)
Number of Convictions	Unknown (8)	Unknown (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

The government does not publicly release information on its criminal law enforcement efforts. Criminal law enforcement agencies do not receive adequate funding or training to investigate the worst forms of child labor, and high staff turnover is a challenge. (3,6,9,10) Despite credible reports that children were involved in child labor, the government did not report that it investigated any child labor cases, and MINLSS officials stated that there were no reported cases of violations of laws related to child labor. Consequently, no new prosecutions were brought to trial during the reporting period. (9)

In a letter to the Secretary General of the Prime Minister's Office, the Head of the National Police, stated that the police had investigated six human trafficking cases and referred the traffickers to competent courts for

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judicial action. (9) In another letter to the Secretary General of the Prime Minister's Office, the Secretary of State for Defense in Charge of the National Gendarmerie, stated that the Gendarmerie investigated 199 human trafficking cases and referred them to the competent courts as of the end of August. Details on the ages of the victims, however, were not provided. (9) Research did not uncover information about any individuals involved in ongoing prosecutions that began in previous reporting periods and no data were available for the reporting period on numbers of violations, prosecutions initiated, convictions, or penalties in Cameroon. (9)

MINAS, the International Criminal Police Organization, 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. (9,12,18,24,39,50) 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. (24,51) Research was unable to determine how many cases of child labor were identified because of complaints made to these hotlines.

During the reporting period, Cameroonian Police arrested members of a human trafficking network which bought and sold newborn babies in the capital of Yaoundé. The trafficking network operations are believed to expand beyond Cameroon and include Gabon, Equatorial Guinea, and Chad. (52) Because of these instances of human trafficking, border police continued 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. (7,53) The government continues to acknowledge 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) While there have been past reports that indicate 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, there were no reports during the reporting period that the government detained or punished any children found engaged in child labor, including commercial sexual exploitation, illegal or illicit activities, or armed conflict. (9,44,54-59)

## 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 and proposes measures to harmonize Cameroon's legal framework to international standards. Implements the National Plan of Action to Combat Child Labor and Trafficking in Children that expired during the reporting period. (37,60,61) Led by MINLSS, includes representatives from 10 other ministries and government bodies. (40,60) In March 2020, members attended a 2 day capacity building workshop in Ebolowa, South Region, organized by MINLSS and ILO, during which they explored the different forms of child labor, assessed actions implemented in the fight against child labor since 2014, and analyzed priority actions moving forward. (9)
Inter-Ministerial Committee on Trafficking in Persons	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. (3,62) Held two formal sessions and two workshops for staff dedicated to anti-trafficking efforts during the reporting period. (63)
Ministry of Social Affairs (MINAS)	Coordinates efforts to combat human trafficking. Provides social services through its National Referral System. (10,11,43,64) Through its Minors Brigade, supports local police in their investigations of child trafficking and the use of children in hazardous work. Uses other programs to help identify, reintegrate, and educate street children. (43,44) In the first quarter of 2020, MINAS removed 381 human trafficking victims including 304 children from their situation of exploitation and provided them assistance in MINAS-run centers nation-wide. In addition, between April 1 and June 30, MINAS removed 162 children from the streets of Yaoundé as part of a pilot operation dubbed "Monitoring and Observation of Street Children." (9) On June 29, MINAS placed 40 of the children at the Betamba Childhood Institute at which they learn trades, returned 78 children to their families, placed 27 in MINAS-run centers, while the remaining few had to be released from the program due to their age. (9)

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. (9,16)

In June 2020, the Government of Cameroon created a new National Committee to Combat Child Labor to replace the one that existed before. The new committee was created to enhance effectiveness and efficacy in the fight against child labor. (9)

Research indicates that the National Committee to Combat Child Labor had not made significant progress because of a lack of resources. There is also evidence to suggest that each of the government agencies represented in the committee looked for its own funding and initiated its own activities without significant coordination. (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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Decent Work Country Program (2014–2020)	Incorporated child labor concerns into the national strategy for work. (67) Research was unable to determine whether actions were undertaken by the committee during the reporting period. (9)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,14)

In 2020, the government joined the Alliance 8.7 program, an inclusive global partnership committed to achieving Target 8.7 of the 2030 Sustainable Development Goals. Target 8.7 seeks, among other objectives, to secure the prohibition and elimination of the worst forms of child labor. (9,68)

The government has not included child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper (2010–2020) or the Inter-Ministerial Committee's National Gender Policy Document (2011–2020). (69-71)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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)†	In conjunction with the National Employment Fund, this MINAS-funded program provides street children with health care, education, and psychosocial care, and supports the reintegration of street children by providing vocational training opportunities. (10,38,72) In 2020, the project provided support to 40 children at the Betamba Childhood Institute in the Center Region that serves as a rehabilitation center for adolescents and placed them in apprenticeships programs including carpentry, masonry, welding, and auto mechanics to prepare them to eventually return to their families and reintegrate into society. (9)



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

Program	Description
Support Project in Quality Management for Cocoa and Coffee Production/Forever Chocolate (2019–2025)†	Promotes labor standards in the cocoa industry, including the fight against child labor in conjunction with environmental protection. Identifies children in cocoa farming and those who are at risk of joining cocoa farms, and facilitates their return to school. (8) Implemented by NGO association <i>Enfant Jeunesse Avenir</i> , in partnership with Cameroon Cacao Industrial Corporation, Cameroon's biggest cocoa processor. Government ministries, including the Ministry of Health, MINAS, the Ministry of Women Empowerment and the Family, MINLSS, and the Ministry of Basic Education, are key stakeholders in the program. (8) The project is implemented in cocoa production basins using the Farmer Field School Extension Approach and is aimed at training cocoa farmers to produce cocoa free of child labor using environmentally friendly techniques. (8) The government also established a National Cocoa Academy led by the Ministry of Agriculture and Rural Development. The training institute is deployed in production basins with a view to popularizing good agricultural practices, including the prohibition of child labor on plantations. (8) In 2020, in addition to the four districts of Ntui, Bangassina, and Monatele (Center Region), and Tonga (West Region) where the program was initially implemented, Forever Chocolate was extended to include Nkondjock (Littoral Region), Sangmelima (South Region), Mbalmayo, and Ayoa (Center Region). The program, which supported children with school kits, sought to empower women and provide families with alternative sources of income to limit the involvement of children in child labor. (9)
Cameroon Institute of Childhood Rehabilitation Project (2017–2020)†	\$2.9 million project that was 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. (10) Between April 1 and June 30, MINAS removed 162 homeless children from the streets of Yaoundé as part of a pilot operation called "Monitoring and Evaluating of Street Children." On June 29, MINAS placed 40 of those children at the Betamba Childhood Institute where they are sheltered, learning trades, and receiving psychosocial support. (63)
United States Government Programs (non-DOL)	\$27 million U.S. Department of Agriculture funded McGovern-Dole International Food for Education and Child Nutrition Program, which improves literacy and nutrition in 265 primary schools. During the reporting period, in collaboration with the Ministry of Basic Education, it organized three workshops in the Adamawa, East, and North Regions to train 140 head teachers on school management. (9) In July 2020, they recognized 148 teachers from 148 primary schools selected by the Ministry of Basic Education in the East, Adamawa, and North Regions in recognition for outstanding services as part of a strategy to encourage teachers to meet the learning needs of children and ensure that students remain in school. The program also drilled 10 boreholes in 10 schools in the 3 regions and provided daily meals to 84,000 pupils, which encouraged children from poor communities to regularly attend classes. (9) Continued its activities from previous years of constructing classrooms, modern school toilets, kitchens, and food stores in addition to establishing school gardens, providing stationery to needy children and teachers, and supported the efficient management of school resources to deliver quality education. (9)
UNICEF Projects	Includes UNICEF Country Program (2018–2020), which prioritized strengthening the child protection system to prevent violence and exploitation, especially sexual violence against girls. Provided financial and technical support to the government for the implementation of an inclusive birth registration project, with a particular focus on indigenous communities. (6) Services for Displaced or Refugee Children is another UNICEF-funded program that provided educational services to children affected by conflict, including: CARE2, which offered accelerated education curriculums for children in refugee camps in the Far North; ETAPES, which established temporary schools and protection centers in Adamawa and East regions; and the Child Protection and Education Project, which worked with Catholic Relief Services in the East to enroll and retain refugee children in schools. (6,8,73)

† 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. (3,9,15)

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 nor does it address the structural issues found within the school system. (1,6,9,74) Government-run centers can temporarily house victims, but space is limited. (24,75,76)

Some victims of child labor, as well as vulnerable children, were removed from their situation of exploitation and referred to social services. Research found NGOs removed child labor victims from their situation of exploitation and provided shelter and other temporary forms of assistance. (9) These include the Network for Human Rights Defenders in Central Africa, which provided housing and temporary assistance; Kumba-based Survival Network provided shelter and scholarships to two victims; and Justice and Peace Commission of the Bamenda Catholic archdiocese in the Northwest Region assisted IDPs associated with the Anglophone crisis; however, these organizations did not share an exact number of participants. (9)

## 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 II).

**Table II. Suggested Government Actions to Eliminate Child Labor**

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 – 2020
	Criminally prohibit the use of children for illicit activities, including in the production and trafficking of drugs.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish a minimum age for compulsory education that is consistent with the minimum age for admission to work.	2009 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include work at dangerous heights.	2014 – 2020
	Establish by law free basic public education.	2019 – 2020
Enforcement	Collect and publish comprehensive statistics on enforcement efforts including labor inspectorate funding, number of child labor violations found, the number of criminal labor law violations found, the number of investigations, the number of prosecutions, and the number of convictions.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	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 – 2020
	Strengthen the labor inspectorate by conducting inspections in all sectors, including the informal sector.	2013 – 2020
	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 – 2020
	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 – 2020
Coordination	Ensure that existing coordinating mechanisms function effectively and receive sufficient resources to carry out their stated mandates.	2014 – 2020
	Ensure that all of the Community Coordination Teams are active and undertaking activities in support of their missions.	2020
Government Policies	Integrate child labor elimination and prevention strategies into the Poverty Reduction Strategy Paper and the Inter-Ministerial Committee's National Gender Policy Document.	2010 – 2020
	Ensure all actions plans are active and being implemented according to their mandate.	2020
Social Programs	Ensure that the number of schools, teachers, potable water, and sanitation facilities are adequate throughout the country.	2009 – 2020
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018 – 2020
	Make additional efforts to provide all children with birth documentation.	2020
	Ensure that all children, regardless of refugee status, have access to education by eliminating school-related fees, and minimizing the disruption of the classroom. Ensure that schools are free from violence and not re-appropriated for other purposes.	2009 – 2020
	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 – 2020
	Ensure that all government-run centers have sufficient space to accommodate victims of child trafficking and children engaged in street work and domestic work.	2016 – 2020

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In 2020, the Central African Republic made moderate advancement in efforts to eliminate the worst forms of child labor. In addition to publishing data on labor inspections, child labor violations, and funding, the Central African Republic's Ministry of Labor doubled the size of its labor inspectorate in 2020. The government also began to implement an expansive child protection code, and expanded mechanisms to coordinate anti-trafficking and other child protection efforts. However, children in the Central African Republic are subjected to the worst forms of child labor, including recruitment and use in armed conflict by non-state armed groups and in diamond mining, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and domestic work. Additionally, the Central African Republic does not meet the international standard for minimum age protections since it does not include children working in the informal sector. Moreover, an estimated 1.3 million children lacked access to education because of ongoing instability.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Central African Republic are subjected to the worst forms of child labor, including recruitment and use in armed conflict by non-state armed groups and in diamond mining, sometimes as a result of human trafficking. Children also engage in child labor in agriculture and domestic work. (1-7) Table 1 provides key indicators on children's work and education in the Central African Republic.

**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 (%)		40.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 2010. (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	Working in agriculture, activities unknown (10)
	Working in forestry, including carrying tools (11)
	Fishing, activities unknown (10)
Industry	Diamond and gold mining, quarrying† (10,12-14)
	Working in sawmills, forges, and foundries, including sharpening sawblades and maintaining fires (11,15)
	Construction, activities unknown (10,15)
Services	Domestic work (12)
	Street work, including carrying heavy loads, garbage scavenging, and market vending (10,12)
Categorical Worst Forms of Child Labor‡	Recruitment of children by non-state armed groups for use in armed conflict, including as combatants, cooks, porters, informants, domestic workers, guards, and for sexual exploitation (12,16)
	Forced labor in domestic work, agriculture, markets, and mining, including in diamond mines, each sometimes as a result of human trafficking (10,12,16-18)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor of indigenous <i>Ba’aka</i> children in farming (6)
	Commercial sexual exploitation, sometimes as a result of human trafficking (7,10,12,16-20)

† 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.

The government and 14 armed groups signed the Political Agreement for Peace and Reconciliation in the Central African Republic in 2019. (21,22) The peace agreement called for the immediate cessation of recruitment of child soldiers by all parties involved in the conflict. (22) However, violence surrounding the December 2020 elections has stalled implementation of the peace agreement. (10,23) The government also maintains limited control of territory outside the capital, Bangui. Non-state armed groups contest about 80 percent of the territory. (7,24) Anti-Balaka-affiliated armed groups and ex-Séléka factions—including the *Front Populaire pour la Renaissance de la Centrafrique* (FPRC); *Mouvement des Libérateurs Centrafricains pour la Justice*; *Mouvement Patriotique pour la Centrafrique*; *Unité pour la Paix en Centrafrique* (UPC); and unaffiliated elements—continued to recruit children as combatants, informants, cooks, and sex slaves. (12) In December, major rebel groups formed the *Coalition des Patriotes pour le Changement* in response to ex-president Francois Bozizé being determined ineligible to be a presidential candidate in the December 2020 election. Violence around the contested election led to an increase in the recruitment and use of children in armed combat. (10,23) During the reporting period, the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) documented the recruitment of 256 children, including 94 girls, into the ranks of FPRC in Birao, and a dozen others among anti-Balaka forces in Bria. (7,12,25) Moreover, due to lack of funding and persistent insecurity, as many as 25 percent of children released since 2014 have not received reintegration support. (26,27)

Armed groups and criminal elements, including in some pastoralist groups, subjected children to forced domestic servitude and commercial sexual exploitation. (7,10,16) In some instances, relatives willfully exploited children in their extended families to generate additional income. (10) Girls may be trafficked into forced domestic work, especially in rural areas in which government presence is limited or non-existent. In *maisons de joie* (“houses of joy”), girls as young as age 13 are subject to commercial sexual exploitation. (7,16) *Maisons de joie* are typically private residences at which alcohol and food are served to middle- and upper-class customers. (16) The armed group UPC exploited child laborers at mining sites under their control. Children in rural areas were forced to work in artisanal diamond and gold mines, often for long hours and without protective equipment. (16) Children as young as age 9 are exposed to silver nitrate in gold mines, and often sustain injuries as a result. (6,7) An estimated 2.8 million people, including 1.3 million children, required humanitarian assistance during the reporting period. At least 100,000 IDPs were directly linked to post-electoral violence, and the Central African Republic’s IDP population ballooned to 681,930, half of whom were children. (21,23,25,26,28-30) Displacement and chronic food insecurity are aggravating risk factors for forced labor and sex trafficking. (6)

Schools closed in March 2020, amidst nationwide lockdowns in response to the COVID-19 pandemic. Many schools reopened briefly in October to administer exams. (10) An estimated 1.4 million children left the school system during the reporting period, with many unable to return due to conflict and economic hardship. (28) Prior to the pandemic, 9 percent of children enrolled in the 2019–2020 school year had dropped out of school. (28,30) The combined effects of resurgent violence in the north, structural fragility, and the pandemic have exacerbated this trend. The loss of income has compelled children to seek employment or remain at home. (28,29,31) The pandemic has also disrupted reintegration and rehabilitation services for victims of forced labor and armed group recruitment. (31)

Teachers fled conflict zones in Vakaga, Haut-Mbomou and parts of Ouham and Ouham Pendé, where infrastructure was destroyed and children were confined to their houses. (28,29) At least 14 schools were affected by electoral violence in 2020. Fewer than three in five children in the Central African Republic complete their primary education, and only 6 percent graduate from secondary school. (10) An estimated 1.3 million

children lacked access to education because of ongoing instability. (25,32) The continued occupation of school buildings by non-state armed groups presents additional challenges. (12,33) The state's limited reach outside the capital impeded efforts to distribute educational resources in rural areas. (12,33,34)




The Central African Republic's 2020 Child Protection Code provides free birth registration for all children. (35) However, the country's birth registration rate, stymied by endemic poverty and administrative collapse, remains one of the lowest in Africa. (36) Electoral violence and the pandemic further hampered efforts to re-open civil registration centers in the provinces. (10) Despite the new provision, the Family Code and a Presidential Decree mandate that schools will only accept children with documented proof of identity, such as a birth record/certificate. Based on this legal requirement, undocumented children were denied access to education and other social services. (12) Nevertheless, the Ministry of Education has attempted to improve access to education by providing free school admission to children from IDP camps, waiving school exam fees for children affected by conflict, and expanding programs to provide birth registration, which may be required for school enrollment. (12,17,37,38) However, children continue 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. (12,18,25,39,40)

The government did not collect or publish data on child work, child labor, or the worst forms of child labor in 2020. (10)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The Central African 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 Central African Republic'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; Article 63 of the Child Protection Code (35,41)
Minimum Age for Hazardous Work	Yes	18	Article 263 of the Labor Code; Articles 65–68 of the Child Protection Code (35,41)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 261 of the Labor Code; Article 190 of the Mining Code (41,42)
Prohibition of Forced Labor	Yes		Articles 7 and 393 of the Labor Code; Articles 65 and 175 of the Child Protection Code (35,41)
Prohibition of Child Trafficking	Yes		Article 151 of the Penal Code (43)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 262–263 and 393 of the Labor Code; Articles 90–92 and 111 of the Penal Code; Article 69 of the Child Protection Code (35,41,43)
Prohibition of Using Children in Illicit Activities	Yes		Articles 262–263 and 393 of the Labor Code; Articles 65 and 175 of the Child Protection Code (35,41)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Decree N° 85.432, Declaration to the UN CRC Optional Protocol on Armed Conflict (44)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 22 of the Constitution; Articles 262 and 393 of the Labor Code; Articles 77–79 of the Child Protection Code (35,41,45)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 262 and 393 of the Labor Code; Articles 77–79 and 181 of the Child Protection Code (35,41)
Compulsory Education Age	Yes	15	Ordinance N° 84/031 Orienting the Teaching System; Article 13 of Law N° 97/014 Orienting the Education System; Articles 40 and 52 of the Child Protection Code (35,45–47)
Free Public Education	Yes		Ordinance N° 84/031 Orienting the Teaching System; Articles 52 and 57 of the Child Protection Code(35,46,47)

\* No conscription (45,48)

The Child Protection Code (*Code de la Protection des Enfants, CPE*) was adopted by the National Assembly on February 27, 2020. (35,49) The law, which took effect on June 15, reinforces existing prohibitions on the recruitment and use of children in armed conflict. The CPE designates all former child soldiers as victims, and establishes separate judicial and social protection mechanisms to facilitate demobilization and reintegration. (35) The CPE also penalizes the worst forms of child labor with up to 3 years' imprisonment and a fine of \$3,673 (2,000,000 FCFA). (35,50) The legislation further guarantees children ages 5 to 18 the right to free education, and makes primary education compulsory. (35) By the end of the reporting period, the Ministries of Justice, Interior, Social Welfare, Health, and Education had prepared five draft sectoral plans to guide the implementation of the CPE. (10)

Although the Labor Code prohibits work by children under age 14, the law does not apply to children outside of formal employment relationships. This fails to meet international standards, which require the protection of all children under minimum age for work laws. (41,51) Despite a 2016 study on hazardous work, the Central African Republic has not determined by national law or regulation the types of hazardous work prohibited for children. (12,41,52) Moreover, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (44) Research was also unable to locate original copies of laws establishing the compulsory education age at 15. (35,47)

### 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 enforcement agencies 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)	Through its General Directorate of Labor and Social Welfare and seven regional labor directorates, monitors and enforces laws related to child labor. (15)
The Juvenile Court*	Established under the 2020 Child Protection Code (CPE) to field all cases involving the health, safety, morals, and education of children. Maintains sole jurisdiction over criminal cases involving juvenile plaintiffs, defendants, witnesses, and victims of crime, including former child soldiers. (45,52) The court also oversees a special police unit for children, which is responsible for monitoring children's safety and welfare in industrial or mining areas. (45) This unit is also responsible for identifying criminal offenses against children. The judges will work with the police, the child protection brigade, the Children's Prosecutor, and social workers to refer child victims and monitor compliance with diversion measures. (35,41)
Internal Security Forces Police and Gendarmes	Enforces all laws, including those related to the worst forms of child labor. Newly created Child Protection Units, under the expanded jurisdiction of the juvenile court system, will also be responsible for identifying criminal offenses against children. (51)
Ministry of Justice	Protects children through its Rapid Response for Child Protection team, and combats the worst forms of child labor through its courts and tribunals. (38,53)
Special Criminal Court	Investigates serious human rights abuses committed since 2003, including the use of children in armed conflict. Hybrid court includes international and national judges and prosecutors. (54,55)
Mixed Unit for Rapid Intervention and Repression of Sexual Violence (UMIRR)	Combats sexual violence against women and children. This mixed unit includes representatives from the Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action (MSA); the Ministry of Justice; and law enforcement (gendarmerie, police, and civilians), and is tasked with fighting violence against women and children. (7,38) During the reporting period, the government partnered with the UN Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) and the IOM to provide training to police, gendarmerie, UMIRR, and community leaders on recognizing signs of human trafficking. MINUSCA also trained security forces on preventing all forms of grave violations against children, participated in monitoring mechanisms, advocated for child protection, and worked with regional leaders to sensitize the local population and armed groups on children's rights. (7,10) UMIRR falls under the joint authority of the Ministry of Justice and the Ministry of Public Security and is part of a state organization supporting investigations into conflict-related sexual violence. UMIRR refers cases to the ordinary court system or to the Special Criminal Court. (56)

\*Agency responsible for child labor enforcement was created during the reporting period.

The CPE also established a National Council for the Promotion and Protection of Children, which will report directly to the Prime Minister, and a Children's Parliament. (35)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in the Central African Republic took actions to combat child labor (Table 6). However, gaps exist within the operations of 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	2019	2020
Labor Inspectorate Funding	Unknown (12)	\$254,545 (10)
Number of Labor Inspectors	70 (12)	145 (10)
Inspectorate Authorized to Assess Penalties	Yes (41)	Yes (41)
Initial Training for New Labor Inspectors	Yes (12,41)	Yes (10)
Training on New Laws Related to Child Labor	N/A (12)	Yes (10)
Refresher Courses Provided	Yes (12)	Yes (10)
Number of Labor Inspections Conducted	58 (12)	130 (10)
Number Conducted at Worksite	Unknown (12)	90 (10)
Number of Child Labor Violations Found	Unknown (12)	15 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	0 (10)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	N/A (10)
Routine Inspections Conducted	Yes (12)	Yes (10)
Routine Inspections Targeted	No (5)	No (10)
Unannounced Inspections Permitted	Yes (41)	Yes (41)
Unannounced Inspections Conducted	No (12)	Yes (10)
Complaint Mechanism Exists	Yes (12)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (10)

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In addition to publishing data on labor inspections, child labor violations, and funding, the MOL doubled the size of its labor inspectorate in 2020. (10) The increased number of labor inspectors was the result of a partnership agreement between the MOL and World Vision. World Vision provided logistical support that allowed inspectors to travel outside Bangui. (57) The government hired 70 additional labor inspectors, bringing the total number of labor inspectors employed to 145. (10) In 2020, 28 labor inspectors received training on the worst forms of child labor, violence, and harassment in the workplace. (10) An additional 30 inspectors underwent initial training organized by the African Regional Training Center for Labor Administration during the reporting period. (10)

Nevertheless, inadequate financial and material resources, including transportation, office facilities and supplies, and computers, hindered the government's efforts to combat child labor. (38,58,59) Moreover, the passage of Decree No. 12.177 in 2012 effectively removed regional labor directorates from the general directorate's chain of command. Thus, regional directorates are no longer required to submit periodic reports on inspection activities, as required under ILO C. 81. (58,60) Finally, civil unrest prevented labor inspectors outside Bangui from visiting artisanal mining sites. (7)

During the reporting period, the country's seven regional labor directorates conducted 130 investigations and identified 15 child labor law violations. (10) However, labor inspectors did not issue formal penalties or sanctions, with community reconciliation remaining the principle avenue for mediation. (10,41) Article 260 of the Labor Code empowers labor inspectors to refer violators to a magistrate court if a medical doctor determines a child laborer was exposed to hazardous conditions. Violators face up to 5 years in prison if found guilty. (10,41) A complaint mechanism for filing and responding to reports of child labor exists, but there was no evidence that it was operational during the reporting period. Due to limited resources, most children found in child labor were referred to NGOs. (12)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in the Central African 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 insufficient human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (12)	No (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (12)	Yes (10)
Refresher Courses Provided	Yes (12)	Yes (10)
Number of Investigations	1 (12)	Unknown (10)
Number of Violations Found	Unknown (12)	Unknown (10)
Number of Prosecutions Initiated	Unknown (12)	Unknown (10)
Number of Convictions	Unknown (12)	Unknown (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (12)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (10)

In 2020, the CPE created specialized children's police units to monitor industrial or mining areas for hazardous conditions. (10,35,49,52) The CPE also broadens social protections and creates new enforcement mechanisms for victims of sexual exploitation, forced labor, or human trafficking, and includes provisions for at-risk groups such as demobilized child soldiers, children of religious and ethnic minorities, and non-residents. (7,12,35) Under the new law, children associated with armed groups are entitled to state social protection services and immunity from prosecution. (12,35,61)

The 2020 Trafficking in Persons National Action Plan extends the Mixed Unit for Rapid Intervention and Repression of Sexual Violence's (UMIRR) authority to include human trafficking, and UMIRR has investigated and referred cases to the High Court of Bangui. (7,10) Despite limited funding, UMIRR continuously investigated and referred the victims of gender-based violence to psycho-social assistance, though no convictions were

reported. (61) In addition, the IOM trained civilian and law enforcement officials in human trafficking detection, including some child labor issues, during the reporting period. (7,10)

Nevertheless, during the reporting period, an indeterminate number of children were remanded to Bangui's Ngaragba prison for their alleged association with armed groups. These arrests are in contravention of both the CPE and international covenants to which the Central African Republic is signatory. (10,35,61) Of these children, 23 were ultimately released from prison; 6 of these were accused of child soldiering. A judge referred the children to a shelter in Bangui, but authorities did not properly implement the order. (61) By the end of the reporting period, approximately 25 children remained in prison, of which 9 were accused of "association with criminals." (61) Furthermore, juvenile criminal offenders were imprisoned with adults, despite a 2016 decree that prohibits this practice; separate juvenile cells and prisons exist in theory, but many were destroyed by violence. In addition, all prisons are overcrowded, requiring minors to share space with adults. (10,18,37,57,61) The non-enforcement of the law before the tribunal remains a problem. Instead, judges used mediation as a recourse to alternative dispute resolution. (10)

The pandemic and electoral violence led to an increase in the recruitment and use of child soldiers and criminal child labor violations. The Ministry of Justice was notified, without any specific categorization, of approximately 500 cases of child rights violations, including sexual exploitation, allegations of witchcraft, and maltreatment by family members, during the reporting period. (10) The government did not otherwise release statistics on criminal law enforcement. (10) The country's criminal court also partnered with an international organization in February 2020 to prosecute, convict, and sentence 33 militants and armed group leaders to verdicts from 10 to 15 years imprisonment (28 militants) to life in prison (5 armed group leaders) for crimes against humanity, including the recruitment and use of child soldiers. (7) The UN monitored and documented two Central African Armed Forces child labor violations during the reporting period. The incidents were not documented by the UN as labor violations, but rather grave child rights violations, which includes the use of children by parties to a conflict. (57) MINUSCA reported that, to the best of their knowledge, the perpetrators were not arrested. (10)

There is approximately 1 police officer for every 1,300 Central Africans. Government authority is largely absent outside the capital, and many security forces outside Bangui may lack the resources and knowledge to enforce the law, including a lack of access to copies of relevant laws. (10,61,62) Moreover, judicial authorities lack the staff and resources to conduct investigations outside Bangui. (6,62-64) Cases were widely resolved outside of formal legal proceedings due to a lack of public trust, access, or knowledge about the justice system. (63,65,66)

The MOL is supposed to work with other ministries and UNICEF to provide assistance to victims of child labor, including its worst forms. Due to a lack of resources, the government relies primarily on MINUSCA, NGOs, and UNICEF to provide social services to victims. (5,18,67,68) UMIRR operated a reporting hotline for victims of human trafficking, with the Ministers of Telecommunication and Security and the trafficking in persons coordination bureau advocating for its expansion and implementation during the reporting period. (6,57)

#### **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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
Child Soldier Disarmament, Demobilization, and Reintegration (DDR) Mechanisms	The government works with Children Associated with Armed Forces or Groups (EAFGA), MINUSCA, UNICEF, and other partner agencies to demobilize and reintegrate children into community life. (7,12,22,38,67) However, research indicates that the EAFGA was not active during the reporting period. (10) In addition, the UN Country Task Forces on Monitoring and Reporting engages with signatories to Action Plans to end grave violations against children, and monitors their implementation. (33) In 2020, World Vision opened a new center to provide housing and social services for up to 30 demobilized child soldiers. (61) In accordance with the CPE, the Presidential Advisor for DDR coordinated with partners to initiate a process to release children held for their association with armed groups. (10)
National Inter-Ministerial Committee to Combat Human Trafficking	Coordinates drafting and implementation of the Central African Republic's national trafficking in persons (TIP) strategy and the National Action Plan to combat trafficking. Josiane Bemaka-Soui serves as the Presidential Advisor for TIP. (7,10) The president signed the action plan into law in March 2020, and the government allocated in-kind resources to implement plan components beginning in 2020. (7,16) However, it was not fully implemented due to multiple challenges, including lack of funding, the impacts of the pandemic, and ongoing civil unrest. (61) In addition to relevant ministries, including Justice and Interior, includes local and international NGOs and international organizations. The committee formally validated a 2020–2021 national action plan to combat human trafficking in March 2020. (7,10,16) The Presidential Advisor for TIP was also designated as the government focal point for Children's DDR during the reporting period. The Advisor established an informal coordination committee on child trafficking and DDR policies and programs. (10) The committee established ad hoc working groups to address these issues throughout the reporting period. (10) These efforts began to harmonize government-wide efforts to release scores of children detained for their association with criminal and armed groups. The Advisor sustained personal and vocal support to properly assist these children as victims instead of criminals. (10)
Ministry of Social Affairs, Promotion of Gender, and Humanitarian Action (MSA)	Oversees child soldier reintegration and leads the government's anti-trafficking policy efforts through the National Council on Child Protection. Along with the Ministry of the Promotion of Women, Family, and Protection of Children, refers victims of child trafficking to NGOs and maintains an orphanage for children at risk of child trafficking. (10,53) Rehabilitated human trafficking victims, including children, during the reporting period. (61)
Mechanisms for Monitoring Grave Violations of Children's Rights	The Country Task Force for Monitoring Grave Violations of Children's Rights is a national-level committee that meets twice per year at the strategic level and four times per year at the technical level to address children's rights, including the worst forms of child labor. (10) Provincial Child Protection Working Groups are regional government bodies that work to protect children from all violations, including the worst forms of child labor. (10,57) Held one meeting in 2020 and had continual advocacy with the government, which led to promulgation of the CPE into law. At the technical level, three meetings were held to analyze trends of children's rights violations. (57) Several sessions of training on monitoring, verification, and documentation of violations were conducted for child protection actors. Also, sensitization sessions on child rights and protection benefited community members and leaders, defense and security forces, and political actors. (57)

While the government has established mechanisms to address some of the worst forms of child labor—including human trafficking, commercial sexual exploitation, and children in armed conflict—these efforts do not extend to other sectors, such as mining, in which child labor is prevalent. Research was unable to determine whether all coordinating bodies were active during the reporting period. (10,18,61)

## 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
Political Agreement for Peace and Reconciliation in the Central African Republic	Peace agreement signed by 14 armed groups and the Transitional Government in February 2019. Includes provisions to end the recruitment and use of children by armed groups, and to facilitate the separation of children from their ranks. (22,67,69) Armed groups listed by the UN for grave violations against children have signed Action Plans to implement these commitments. (70-72) The Action Plans cover the four areas for which the groups are listed, including recruitment and use of children, killing and maiming, rape and other forms of sexual violence, and attacks on schools and hospitals. (70-72) The <i>Mouvement Patriotique pour la Centrafrique</i> has appointed four commanders to serve as child protection focal points in areas under its control. (67,70) However, MINUSCA reported that armed groups continued to recruit child soldiers during the reporting period despite their pledges. (10)



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

Policy	Description
Child Disarmament, Demobilization, and Reintegration Policy	Based on the 2015 Bangui Forum, this policy aims to facilitate initiatives to disarm, demobilize, and reintegrate child soldiers, in cooperation with UN agencies, other ministries, and armed groups. (15,37,48,66,73) 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 throughout the country. (73-77) During the reporting period, UNICEF and partners helped the government demobilize and reintegrate 700 child soldiers who were liberated from armed groups. (7,10)
National Strategy to Fight Gender-Based Violence in CAR (2018–2021)	Aims to achieve "zero tolerance" for gender-based violence, including commercial sexual exploitation. (75) Written by the Ministry for the Promotion of Women, Family, and Protection of Children, in partnership with the UN Population Fund, UNHCR, UNICEF, and UN Women. (78) The EU funded the construction of a shelter for victims of gender-based violence, the House of Hope ( <i>Maison de l'Espoir</i> ), during the reporting period. (61)
National Recovery and Peacebuilding Plan (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. (17,48,75) While the government has made headway in DDR, research indicates that it made limited progress on improving access to education during the reporting period. (10)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (75)

The government did not include child labor elimination and prevention strategies in the National Strategy for the Education Sector (2008–2020). (79) 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. (52,53)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 with the adequacy of programs to address the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
UNICEF Programs	Coordinated the removal of children from forced labor situations and provided necessary social services for their rehabilitation, enrollment in schools or vocational training programs, and placement in stable homes. These programs provided basic education and vocational skills training to children that were most at risk for child labor exploitation and armed group recruitment. (10,23) During the year, UNICEF supported a pilot program to remove children from forced mining in Bozum, and provided them with social services through a local partner. (10) Research indicates that 50 former child soldiers and street children drilled wells under a UNICEF-run vocational training and rehabilitation program. (80) UNICEF provided direct social services to approximately 2,500 children during the year, and worked with the Ministry of Social Welfare to improve its case management system. (10,23,28) UNICEF also provided 592,000 children with formal and non-formal education, and 532,120 children with individual learning materials. Finally, UNICEF supported the government's efforts to administer final national examinations in remote areas. (28,30,81)
Shelters for Unaccompanied Children†	MSA- and UNICEF-supported centers that provide immediate care, food, and psychosocial support to vulnerable children and former child soldiers. (2) In 2020, 184,696 children affected by conflict were able to continue schooling through the establishment of temporary learning spaces. (23)
Education Programs	Programs to restore educational infrastructure include: 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 the 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. (23,37,38,74,79,82-84) In 2020, the government supported the UNICEF-funded programs "Temporary Spaces for Learning and Child Protection (STEPS)" and "Child Friendly Spaces." (10) Programs were closed from approximately April to August due to the pandemic, and re-opened following the implementation of COVID-19 mitigation guidelines. Together, they reached more than 200,000 children with psychosocial support, learning materials, and access to formal or non-formal education. (10,23,40,75)
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. (37) The June 2020 CPE further mandates free birth registration for all children. The pandemic and electoral violence hampered efforts to re-open civil registration centers in the provinces. (12,61,75)

† Program is partially funded by the Government of the Central African Republic.

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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. (5,38,66,76) 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. (38)

## 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 Central African Republic (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws establishing the compulsory education age are publicly available.	2019 – 2020
	Ensure that all children are protected by law, including children working outside of formal employment relationships.	2017 – 2020
	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 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that enforcement agencies have sufficient staff, resources and training to enforce laws related to child labor, including its worst forms.	2009 – 2020
	Initiate targeted inspections based on available child labor prevalence data, and expand inspections to include the informal sector.	2018 – 2020
	Ensure that the complaint mechanism for filing and responding to reports of child labor functions in accordance with its mandate, as required by ILO C. 182, and that penalties are imposed for child labor violations.	2018 – 2020
	Ensure that regional labor inspection offices are under the supervision and control of a central authority, and that regional inspectors are able to conduct inspections outside of Bangui, where many mining operations take place.	2018 – 2020
	Report criminal law enforcement data, including the number of investigations conducted, violations found, penalties imposed and collected, prosecutions initiated, and convictions obtained.	2014 – 2020
	Ensure that courts and security services are sufficiently funded, that security forces are sufficiently trained, and that citizens can report violations and access formal judicial processes throughout the country.	2016 – 2020
	Ensure that children are not imprisoned for their association with armed groups, 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 – 2020
	Ensure non-state armed groups who are signatories to UN Action Plan to End Grave Violations Against Children uphold their commitments to these plans, including ceasing the recruitment and use of children.	2020
	Ensure that referral mechanisms for children found in child labor situations are well-funded and fully operational.	2019 – 2020
	Coordination	Establish coordinating mechanisms to combat all forms of child labor, including in mining, and ensure that existing coordination mechanisms are active.
Ensure that all coordinating bodies are able to carry out their intended mandates.		2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2020
	Integrate child labor elimination and prevention strategies into the National Strategy for the Education Sector.	2009 – 2020
Social Programs	Ensure that social programs to address the worst forms of child labor are funded and implemented in accordance with their mandates.	2018 – 2020
	Conduct a nationwide child labor prevalence survey to inform policies, programs, and enforcement actions.	2020

**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 rural areas, regardless of IDP status or religious affiliation, by eliminating school-related fees, making additional efforts to provide all children with birth registration, ensuring that ethnic and religious minorities are not denied access to education, establishing an adequate number of teachers and classrooms throughout the country, and ensuring that schools are safe spaces and free from armed groups.	2009 – 2020
	Expand programs to assist former child combatants and children associated with armed groups, support their reintegration into society, and improve coordination among relevant actors, while ensuring children are not inadvertently subjected to child labor under Disarmament, Demobilization, and Reintegration programs,	2013 – 2020
	Allocate sufficient resources and implement programs to address the worst forms of child labor throughout the country.	2009 – 2020

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In 2020, Chad made moderate advancement in efforts to eliminate the worst forms of child labor. The Government of Chad adopted a law extending fundamental protections to Chad's refugees and asylum seekers, including the right to access healthcare and education. The government also adopted Ordinance No. 002-PR-2020, which organizes a biometric population registry for births, marriages, and divorces. Lastly, Chad hosted a national workshop to develop a 2021–2026 nationwide school feeding program action plan. However, children in Chad are subjected to the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. In addition, the government did not provide clear data on law enforcement efforts and has no active policies to address child labor, including in commercial sexual exploitation and forced labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chad are subjected to the worst forms of child labor, including forced labor in cattle herding and domestic work, each sometimes as a result of human trafficking. (1-3) Table 1 provides key indicators on children's work and education in Chad. 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	48.8 (Unavailable)
Attending School (%)	5 to 14	49.5
Combining Work and School (%)	7 to 14	28.4
Primary Completion Rate (%)		40.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2014–2015. (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 and harvesting crops, including rice and corn (6,7)
	Production of charcoal (6,7)
	Herding livestock, including camels and cattle (3,7-9)
	Fishing, including catching, smoking, and selling fish (7)
Industry	Brickmaking (10)
	Carpentry (7)
	Gold mining† (1,7,9)
Services	Domestic work (2,7)
	Working in restaurants as barmaids and servers (3,7)
	Street work, including vending, garbage scavenging, and carrying heavy loads‡ (3,6,7,10,11)
	Begging† (2,7)
	Working as tailors and seamstresses (10)
	Working in auto repair shops (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,9)
	Forced labor in agriculture, begging, cattle herding, domestic work, fishing, gold mining, charcoal production, and street vending, each sometimes as a result of human trafficking (2,3,7,9)

† 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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In the Lake Chad region, human trafficking networks exploit children in fisheries, and traffickers in rural areas sell children in markets for use in cattle or camel herding. (3,9) Human traffickers exploit children in forced labor as beggars in urban areas, agricultural laborers on farms, gold miners in the north of the country, laborers in charcoal production, and as domestic workers. (9) Child herders, some of whom are victims of forced labor, follow traditional routes for grazing cattle and may cross ill-defined borders across the Sahel. (3,9,12) Domestically, boys sent to Koranic schools, or *mouhadjirin*, may be forced to beg and surrender the money they receive to their teachers. (2,3,7,9) Girls travelling to larger towns in search of work may be subjected to commercial sexual exploitation or domestic servitude. In addition, Nigerian terrorist groups Boko Haram and Islamic State-West Africa Province forcibly abduct minors to serve as child soldiers, suicide bombers, child brides, and forced laborers. (9,13)




Chad hosts more than 480,000 refugees and asylum seekers, the second largest per-capita population in Africa, more than half of whom are children. Refugee children from the Central African Republic are particularly vulnerable to exploitation. (9,14-17) The Boko Haram insurgency, flooding, and multiple epidemics have internally displaced 236,426 Chadians, 174,000 of whom live in the Lake Chad borderlands. (18-20) Children in Chad's refugee and IDP communities are vulnerable to commercial sexual exploitation and human trafficking due to their economic instability and lack of access to support systems. (1,13,18,19)

Both the Constitution and the Law Orienting the Education System mandate free and compulsory education in Chad. (21,22) Moreover, Chad was the first country in the region to integrate its network of refugee schools into the national education system; these schools are fully accredited and receive state funding. (23) However, children may travel long distances due to a shortage of schools, classrooms, and teachers. (3,24,25) Girls experience significantly higher dropout rates than boys, while children with disabilities may be unable to attend school altogether. (26-28) Some schools do not offer all grade levels, while others require payment of cost-prohibitive fees. (3,6,7) Following a nationwide lockdown to mitigate community transmission of COVID-19, classes resumed in October 2020 to allow students to complete the 2019–2020 academic year. (29) In the southeast, however, intense flooding in August and September prevented more than 37,772 primary-aged students from returning to school. (30,31) In Chad's eastern Lac province, which also faces repeated incursions from Boko Haram, 85 percent of primary-age children were out of school. (26) Moreover, birth certificates may be required for enrollment in school, although this rule is not consistently enforced, especially in rural areas. (3) Only 12 percent of children nationwide are registered at birth, with some areas experiencing birth registration rates as low as 5 percent. (6,32)

## 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 I of the Decree Relating to Child Labor (33,34)
Minimum Age for Hazardous Work	Yes	18	Articles 6–7 of the Decree Relating to Child Labor (33)
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 (33,35)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Chapter I, 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 (22,34-36)
Prohibition of Child Trafficking	Yes		Articles 3, 5, 6.2, and 7.1 of the President's Ordinance on Trafficking in Persons; Articles 10 and 330–331 of the Penal Code (35,36)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 335, 336(a), 362, 364, 443, and 446 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 (35-37)
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 I 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 (35,36,38-40)
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 (35,36,38,41)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article I 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 (35,36,39)
Compulsory Education Age	Yes	16‡	Articles 21, 23, 25, and 28 of the Law Orienting the Education System; Article 35 of the Constitution (21,22)
Free Public Education	Yes		Article 9 of the Law Orienting the Education System; Article 35 of the Constitution (21,22)

‡ Age calculated based on available information (21)

On December 23, 2020, the government adopted Law No 027/PR/2020: Asylum in the Republic of Chad. The legislation extends fundamental protections to Chad's 480,000 refugees and asylum-seekers, including access to education. (7,42,43) The law conforms to the 1951 Refugee Convention and the Organization of African Unity's Convention on Refugees, and will be implemented in 2021–2022. (7,42,43) The legislation also mandates access to public health systems, social services, and the courts. (43) The government also adopted Ordinance No. 002-PR-2020, which organizes a biometric population registry for births, marriages, and divorces. (7)

Chadian jurisprudence does not currently prohibit the use, offering, or procuring of children for illicit activities. While the draft Child Protection Code (CPC) prohibits the use of children for illicit activities, the legislation has not been adopted. (2,6-8,44-46) Additional laws enhancing protections for human trafficking victims and children working in the informal sector, including amendments to the Family Code the Labor Code, are likewise pending adoption. (7,46) Finally, 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. (8,21,34)



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### 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 enforcement agencies 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)	Oversees Chad's labor inspectorate and enforces child labor laws. (3) Administers a directorate charged with combating the worst forms of child labor, and maintains a specific point of contact to assist in coordinating child protection and human trafficking issues. (3)
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. (3)
National Police's Child Protection Brigade (CPB)	Enforces and investigates allegations of child exploitation, including human trafficking and the worst forms of child labor, and acts as the coordinating institution for government responses. (1,6) Evacuates children to its headquarters in N'Djamena, from where they may be moved to Ministry of Women, Childhood Protection and National Solidarity (MWCPNS) temporary shelters in Koundoul. (3) Included 100 "focal points" spread throughout all 23 provinces during the reporting period. These focal points are not trained investigators, but they are responsible for coordinating investigations with hub offices and referring allegations to investigators. (3,7) The CPB or other local authorities notify MOJ's Directorate for Protection and Legal Monitoring of Children, UNICEF, and local NGOs when there is a case of child trafficking or abuse. (13) Allegations may be submitted directly by the public or by MOPS, MWCPNS, or MOJ. The government's regional child protection technical committees also identify and refer child trafficking victims to the CPB. (13) The CPB's central offices are located in Chad's largest cities (N'Djamena, Moundou, Sarh, Mongo, Mao, Abéché, and Lai). (3,7,13) However, research indicates that the CPB is not well known by the public, thus limiting its impact. (3,48)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Chad took actions to combat child labor. (3)

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (3)	Unknown (7)
Number of Labor Inspectors	30 (3)	36 (7)
Inspectorate Authorized to Assess Penalties	No (34)	No (34)
Initial Training for New Labor Inspectors	Yes (3)	No (7)
Training on New Laws Related to Child Labor	No (3)	No (7)
Refresher Courses Provided	No (3)	Yes (7)
Number of Labor Inspections Conducted	Unknown (3)	Unknown (7)
Number Conducted at Worksite	Unknown (3)	Unknown (7)
Number of Child Labor Violations Found	Unknown (3)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (7)
Routine Inspections Conducted	Unknown (3)	Unknown (7)
Routine Inspections Targeted	Unknown (3)	Unknown (7)
Unannounced Inspections Permitted	Yes (34)	Yes (34)
Unannounced Inspections Conducted	Unknown (3)	Unknown (7)
Complaint Mechanism Exists	Yes (3)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (7)

The Ministry of Public Service, Employment, and Social Dialogue (MOPS) recruited six new labor inspectors in 2020. (7) In addition to 36 full-time inspectors, MOPS employs 50 labor controllers who act in an advisory role (but are unable to conduct inspections themselves). (7) The ILO funded one refresher course related to child

labor in 2020. However, the number of labor inspectors is likely insufficient for the size of Chad's workforce, which includes approximately 5.6 million workers. (2,49,50) 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. (2,49,50) Chad does not maintain a central database for routine inspections, including child labor violations. In addition, the government did not provide information on its labor law enforcement efforts for inclusion in this report. (7)

The MOPS' budget included labor inspectorate funding, but did not specify the amount. (7) Ongoing austerity measures, exacerbated by the COVID-19 pandemic, hindered the government's ability to conduct worksite inspections. (7) Labor inspectors lacked sufficient resources, including transportation, to conduct investigations outside the city in which they are based. (3,6,7,9) Research indicates that the informal sector, in which many children work, is also largely unmonitored. (2,24) In cases involving children working as herders, local officials or NGO lawyers have negotiated settlements with employers for damages or fulfillment of contract terms on behalf of victims' families, including victims of forced labor. (13) Victims may file civil suits to seek damages from traffickers. (7) In some cases, these children are victims of forced labor. (7)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Chad took actions to combat child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

<b>Overview of Criminal Law Enforcement</b>	<b>2019</b>	<b>2020</b>
Initial Training for New Criminal Investigators	Unknown (3)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (7)
Refresher Courses Provided	Yes (3)	No (7)
Number of Investigations	Unknown (3)	Unknown (7)
Number of Violations Found	Unknown (3)	Unknown (7)
Number of Prosecutions Initiated	Unknown (3)	Unknown (7)
Number of Convictions	Unknown (3)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (7)

The government does not maintain a centralized criminal records database. All criminal records are handwritten and hard copies are stored at courts and regional tribunals. (3,7) Therefore, the government did not provide clear information on its criminal law enforcement efforts for inclusion in this report. (3) Judiciary and enforcement agencies have not been fully trained on the 2018 President's Ordinance on Trafficking in Persons; therefore, some perpetrators of human trafficking were released. (47,51,52) Furthermore, child victims may be housed with their traffickers due to a lack of available service providers. (52)

Civil society organizations typically assist with providing temporary shelter, legal assistance, and family reintegration services; they also track prosecutions and convictions. (3,9) A lack of infrastructure, erratic and insufficient funding allocations, and under-enforcement of existing penalties also pose barriers to enforcement. (3,24,47)

## **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.

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**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, provides training, conducts awareness-raising activities, and strengthens the network of government organizations that address human trafficking. Chaired by MWCPNS's Child Protection Directorate and includes representatives from four other ministries, including MOPS. (48) The group did not meet during the reporting period. (3)
Inter-Ministerial Committee on Child Soldiers	Coordinates government efforts to eliminate the use of children in armed conflict and address the worst forms of child labor. Located in each of the eight military regions and includes representatives from the government, army, gendarmerie, and civil society organizations. Conducts awareness-raising activities and training in the military. (3) A child soldiers task force, comprising UNICEF, the Ministry of Defense, MOJ, and MWCPNS, periodically screens recruitment pools for minimum age requirement violations. There is no indication that the government recruits or uses child soldiers. (13) Research was unable to determine whether the committee was active during the reporting period. (3)
MWCPNS's Regional Child Protection Committees	Coordinate regional government efforts to address the worst forms of child labor and refer victims, as appropriate. (1,13,47) Members include judiciary, police, labor inspectors, educators, civil society, and social services providers. (47) Help identify and refer child trafficking victims to appropriate officials. (13,53) Celebrated the "Day of the African Child" in June 2020 with at-risk youth at the Dakoua Espoir Welcome Center. The event focused on providing access to education for all children and underlining the importance of education to the economic, social and cultural development of all societies. (7) However, the COVID-19 pandemic severely impacted government budgets and restrictions on nonessential business exacerbated prevailing capacity constraints. A lack of funding and personnel limited further activities. (7)

## 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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Road Map to Implement the President's Ordinance on Trafficking in Persons	Adopted in 2019, with the ultimate goal of implementing a National Action Plan and coordinated interagency enforcement of the 2018 President's Ordinance on Trafficking in Persons. (1,3) Includes provisions for training members of the courts, local authorities, traditional and religious leaders, members of civil society, and members of enforcement agencies. (13) The 2018 law also designates the National Committee to Fight Against Trafficking to design the national trafficking action plan. (47,51) The committee was not established during the reporting period. (7,13,47)
Ministry of Economy and Development Planning (MEDP) Policies	Includes the 5-Year Plan for Development (2016–2020), 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 MOPS's directorate charged with combating the worst forms of child labor. (52,54) Vision 2030, another MEDP policy, aims to increase educational opportunities, establish social protection policies, and implement a national employment policy with a youth focus. (55) Research was unable to determine whether either policy was active during the reporting period.
Interim Education Plan (2018–2020)	Includes measures to adopt bilingual basic education (French and Arabic) and integrate Chad's refugee camp schools into the national school system. Education Cannot Wait, a UNICEF-funded program, was partially developed under the auspices of the Interim Education Plan. (7,56,57) In 2020, the government announced a 1-year extension of the plan. (7,57) Research was unable to determine whether the policy was active during the reporting period. (7)
National Biometric Population Registry†	Adopted in 2020 under Ordinance No. 002-PR-2020, which creates a national biometric population registry and permits the organization of civil registry in the Republic of Chad, including for births, marriages, and divorces. A dedicated database will facilitate identification of victims and perpetrators of child labor. (7,58)
Comprehensive Refugee Response Framework ‡	Integrates schools in refugee camps into Chad's national education system, per UNHCR's Global Compact on Refugees Framework. (59) Government implementing partners include the Ministry of Administration and Territory, Ministry of Economy and Development Pacification, Ministry of Education, Ministry of Health, and Ministry for Child Protection. Other partners include Chad's National Commission for the Reception and Reintegration of Refugees and Returnees, <i>Cellule Filets Sociaux</i> , and local authorities at the provincial, prefecture levels. (59) These efforts are supported by international donor agencies and NGOs such as the Jesuit Refugee Service Chad, whose Darfuri camp mentorship program (2019–2022) pairs Sudanese refugee teachers with local Chadian teachers. (59,60) The passage of Law No 027/PR/2020: Asylum in the Republic of Chad formally guarantees refugees and asylum-seekers the right to free movement, access to public health services, and education. (42,59,61)

† The policy was adopted during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (6,62,63)

Although the government adopted a roadmap to address trafficking in persons, research found no evidence of a policy on other worst forms of child labor. (7)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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	Aims to improve safety nets and provide access to basic services. Includes: Safety Nets Project (2016–2020), a \$10 million project to provide 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; the Education Sector Reform Project Phase 2 (2013–2020), a \$65 million project to improve education conditions in primary and secondary schools; and the Sahel Women Empowerment and Demographic Dividend–AF Phase 2 (2014–2023), a \$170 million project to provide girls, adolescents, and women access to quality education. By November 2020, the Sahel Women Empowerment program had reached 158,181 vulnerable girls with school kits, housing, payment of school fees, and academic support. (64) By the end of the reporting period, the Education Sector Reform project had recruited and trained 10,965 teachers, and the primary completion rate in targeted areas nearly doubled. (61,64-68)
UNICEF Programs	Implemented distance learning programs in the wake of pandemic-related school closures during the reporting period. To this end, UNICEF targeted 5,405 secondary school students in N'Djamena, Logone Oriental, Moyen Chari and Lac provinces with radio and TV education. (30) UNICEF also supported the Ministry of Education in distributing school supplies to 5,448 refugees, IDPs, and host community students. In 2020, a total of 27,893 children in Lac province, and 59,209 across all provinces, received school supplies (30) UNICEF's \$21 million Education Cannot Wait (2020–2022) program supports education for 230,000 at-risk children. (69) The program was developed under the Ministry of National Education's Transitional Education Plan, Program to Strengthen Literacy, Humanitarian Response Plan and Education Cluster Strategy. (56,69) Interventions include early childhood education initiatives, and out-of-school adolescent children (ages 9 to 14) will benefit from non-formal education and literacy programs. (56,69)
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 MOJ. (6,47) With UNICEF and local NGO support, MWCPNS-run shelters provide temporary assistance to victims of child trafficking, including food, education, medical and psychological care, and reintegration services. (1,3) The National Solidarity Fund, maintained by the Prime Minister's Office, funds temporary shelter or reunification assistance for victims. (70) Child Protection Directorates at various ministries and the CPB work together to provide support and reintegration services to victims of exploitation. (3) Shelters continued to provide victim services during the reporting period. (3)
UNDAF (2017–2021)	Aims to provide access to quality education for children who are school aged, refugees, and vulnerable, and to improve social protection and promote good governance. (71) Research was unable to determine whether the program was implemented during the reporting period.
WFP Strategic Plan (2019–2023)	\$1.3 billion program funded by WFP to improve food security and educational outcomes. Aims to provide technical assistance to the Ministry of Education, distribute school lunches to crisis-affected areas, and disperse cash to girls who are attending school. (72) In December 2020, the WFP, Regional Centre of Excellence against Hunger and Malnutrition, and the Government of Chad hosted a national workshop to create a joint 2021–2026 action plan to create a nationwide school feeding program. The program aims to provide school children with locally-sourced school meals. (73) The workshop convened 45 participants from key line ministries and institutions involved in the implementation of the National Policy for School Feeding, Nutrition and Health, the Global Child Nutrition Forum, and the International Food Policy Research Institute. (73)

† 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. (47)

The government's funding of social programs continued to be limited due to austerity measures during the reporting period, and social services are limited to urban areas. (3,7) Although Chad has programs that target child labor, their scope is insufficient to adequately address the extent of the problem, particularly the use of child labor in herding cattle, forced child labor in domestic work, and commercial sexual exploitation. (74)



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### 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 11).

**Table 11. 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 – 2020
	Ratify pending legislation enhancing protections for human trafficking victims and children working in the informal sector, including the Child Protection Code, the Family Code, and amendments to the Labor Code.	2019 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that the roles of enforcement agencies are well-known and understood by the public.	2016 – 2020
	Ensure that law enforcement agencies receive sufficient resources, including training, to carry out their mandate.	2020
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties, and by providing inspectors with sufficient resources, including training, to conduct inspections in both the formal and informal sectors.	2014 – 2020
	Collect, store, and publish data on law enforcement efforts in a central database, including 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, violations found, prosecutions initiated, and convictions obtained.	2014 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2020
	Ensure that criminal law enforcement agencies are sufficiently funded, law enforcement officers are trained, and existing penalties are enforced according to the law.	2015 – 2020
	Ensure a sufficient number of service providers are available for child victims so victims are not housed with their traffickers.	2020
Coordination	Ensure that coordinating committees receive adequate resources to carry out their mandates.	2014 – 2020
Government Policies	Adopt a policy to combat all relevant worst forms of child labor in Chad and ensure that existing policies are implemented.	2009 – 2020
	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2020
Social Programs	Ensure access to education for all children by eliminating school-related fees; ensure that schools are safe; and increase the number of schools, grade levels, classrooms, and teachers available throughout the country, including for children in refugee camps.	2014 – 2020
	Ensure that all children are issued birth certificates, which may be required for school enrollment.	2014 – 2020
	Ensure that existing programs receive adequate funding to support victims of child labor throughout the country, and that programs are implemented as intended.	2016 – 2020
	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 – 2020

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In 2020, Chile made moderate advancement in efforts to eliminate the worst forms of child labor. The government published Law 21.271, which amended the Labor Code to require that a new list of hazardous activities and occupations for children and adolescents be published by the government, and ratified the International Labor Organization's 2014 Forced Labor Protocol. In addition, the National Prosecutor's Office organized multiple trainings for prosecutors and public health officials related to the protection of rights of child victims of sexual exploitation. The government also established the Tacna-Arica Bi-regional Roundtable to coordinate efforts between the Governments of Chile and Peru to prevent and eradicate child labor in the border area. Under the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers, the government held conferences, virtual seminars, trainings, and lectures dedicated to fighting child labor. Finally, the Ministry of Labor and Social Welfare published the results of the Child Labor Vulnerability Index, which was designed to measure child labor vulnerability across Chile's 16 regions. However, children in Chile are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also subjected to involvement in the production and trafficking of drugs. Although the government made meaningful efforts in all relevant areas during the reporting period, existing prohibitions related to forced labor do not meet international standards because forced labor is criminally prohibited only when it results from human trafficking. Furthermore, prohibitions related to the use of children for illicit activities do not meet international standards.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Chile are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children are also subjected to involvement in the production and trafficking of drugs. (1,2) Table I provides key indicators on children's work and education in Chile.

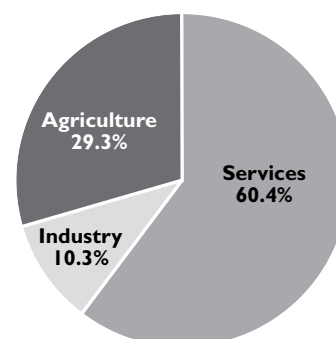
**Table I. Statistics on Children's Work and Education**

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 (%)		96.2

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Actividades de Niños, Niñas y Adolescentes (Simpoc), 2018. (4)

**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.

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

Sector/Industry	Activity
Agriculture	Livestock rearing (5)
	Forestry,† activities unknown (1,5)
	Hunting,† activities unknown (1)
	Fishing,† activities unknown (1,5,6)
Industry	Construction,† bricklaying,† and carpentry†(1,4-7)
	Making garments, shoe repair (8)
Services	Domestic work, including cleaning and babysitting (1,5,7)
	Working in retail, hospitality, corner stores, offices, restaurants, and bars† (5-11)
	Garbage collection,† and street cleaning (9)
	Street work,† including street vending, and juggling (6,8)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including in the production, selling, and distribution of drugs, sometimes as a result of human trafficking (5,7,8,12,13)
	Forced labor in agriculture, mining, construction, street vending, domestic work, and garment and hospitality sectors, each sometimes as a result of human trafficking (8,10,12)
	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (2,5,8,9,12-14)

† 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.

The results of the 2012 National Survey of 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. (1) In 2020, the Ministry of Labor and Social Welfare (MINTRAB) published the results of the Child Labor Vulnerability Index, a statistical tool prepared by the ILO and the Economic Commission for Latin America and the Caribbean. This tool comprises 12 variables, grouped into 5 categories and for which levels of child labor vulnerability are assigned by territorial distribution. (7) For the elaboration of this index, administrative and public information was collected from the 2017 Economic Characterization Survey, the 2017 Census, and Labor Directorate administrative records. The final results are displayed in 17 profiles, one at the national level and one for each of Chile’s 16 regions. (7)

In Chile, children, some of whom may be human trafficking victims, are used to steal or produce, sell, and transport drugs near the borders of Peru and Bolivia. (2,8,12) In 2020, the National Minors’ Service (SENAME) removed 603 children from situations of child labor and provided them with social services. (7) According to SENAME’s Worst Forms of Child Labor Single Registry, 337 children were involved in the production and trafficking of drugs during the reporting period. (7)




Education is compulsory through secondary school; however, some educational barriers do exist in Chile, including the lack of transportation to schools in rural areas and discrimination in educational settings, specifically for migrant children. (5,7,15) Indigenous children and adolescents from Otavalo, Ecuador, are especially vulnerable to human trafficking for labor exploitation in Chile. (10) Children are also involved in street work, especially in Santiago, including selling handicrafts, clothes, or other goods. (8) In Coquimbo, children sell products in street markets and work as jugglers. (6)

## 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 (16)
Minimum Age for Hazardous Work	Yes	18	Articles 13–14 and 18 of the Labor Code (16)
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 (16-18)
Prohibition of Forced Labor	No		Article 19 of the Constitution; Article 2 of the Labor Code; Article 411 of the Penal Code; Law 20.507 (16,19-21)
Prohibition of Child Trafficking	Yes		Article 411 of the Penal Code (20)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 366, 367, and 411 of the Penal Code; Law No. 20.594; Law No. 20.526 (20,22,23)
Prohibition of Using Children in Illicit Activities	No		Paragraph 1, Article 5 and Paragraph 2, Article 19 of Law No. 20.000; Law No. 20.084 (24,25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Chapter 1, Article 13 of the Armed Forces Recruitment and Mobilization Law No. 2.306 (26)
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 (26)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 26 of Law No. 20.357 (27)
Compulsory Education Age	Yes	18‡	Articles 4, 25, and 27 of the General Education Law No. 20.370 (28)
Free Public Education	Yes		Article 4 of the General Education Law No. 20.370 (28)

‡ Age calculated based on available information (28)

In October 2020, Law 21.271 was published. This law amends the Labor Code by establishing that a new list of hazardous activities and occupations for children and adolescents must be published by the Chilean Government. (7) The law will enter into force on the first day of the month following publication of the regulations that prohibit the activities identified as dangerous. During the reporting period, the Ministry of Labor and Social Welfare and the Ministry of Health continued to work on drafting regulations. (7) In addition, in January 2021, the Congress of Chile ratified the ILO's Protocol of 2014 to the Forced Labor Convention No. 29. (13)

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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. (20,21,29) Prohibitions related to the use of children for illicit activities do not meet international standards because they only criminalize supplying children with drugs or inducing children to use drugs. (24,25) 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. (16,28)

### 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 operations of the enforcement agencies 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 awareness on child labor and commercial sexual exploitation of children. (7) Enforces child labor laws, coordinating with the National Minors' Service and the Department of Child Labor Eradication. (2,12)
National Minors' Service (SENAME)	Coordinates the provision of services to vulnerable children, particularly those living on the streets, and victims of commercial sexual exploitation, in coordination with Offices of the Protection of Rights and the Department of Child Labor Eradication. (5,30-32) Operates under the Ministry of Justice and Social Provision. In coordination with MINTRAB and the ILO, oversees the Worst Forms of Child Labor Single Registry ( <i>Sistema de Registro Único e Intervención de la Peores Formas de Trabajo Infantil</i> ), which tracks such incidents and provides information on programs designed to assist child workers. (33) The Offices of the Protection of Rights ( <i>Oficinas de Protección de Derechos</i> ) refer cases of children whose rights have been violated to appropriate social services and monitor cases of the worst forms of child labor. These offices are located in municipalities throughout the country and are part of the larger social protection network overseen by SENAME. (34)
National Investigations Police (PDI)	Investigate and prevent the worst forms of child labor by conducting community outreach activities, including trainings and information sessions. (35) Operate under the Ministry of the Interior. (10) Within PDI, the Human Trafficking Brigade investigates the trafficking of children, modern slavery, and organized crime. (35,36) The Sexual Assault Victim Care Center provides support to child victims of commercial sexual exploitation. (35)
National Uniformed Police ( <i>Carabineros</i> )	Investigate, prevent, and detect crimes, including child labor violations, by conducting community policing and specialized investigations. Under the Directorate for Family Protection, provide specialized orientation on policies and operating plans for detection and prevention of domestic violence and child abuse, including the commercial sexual exploitation of children. (14) Operate under the Ministry of the Interior. (10) Receive referrals on the worst forms of child labor from the National Labor Directorate. (5)
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 inter-agency partners, including PDI, <i>Carabineros</i> , and regional and local prosecutor's offices. (5,37,38)

### Labor Law Enforcement

In 2020, 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 human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (5)	\$108,695 (7)
Number of Labor Inspectors	540 (39)	467 (7)
Inspectorate Authorized to Assess Penalties	Yes (5,16)	Yes (7,16)
Initial Training for New Labor Inspectors	Yes (40)	Yes (7)
Training on New Laws Related to Child Labor	N/A (40)	N/A (7)
Refresher Courses Provided	Yes (40)	Yes (7)
Number of Labor Inspections Conducted	100,618 (41)	66,989 (7)
Number Conducted at Worksites	100,618 (41)	Unknown (7)

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

Overview of Labor Law Enforcement	2019	2020
Number of Child Labor Violations Found	272 (35)	66 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	272 (35)	66 (7)
Number of Child Labor Penalties Imposed that Were Collected	72 (41)	66 (7)
Routine Inspections Conducted	Yes (5)	Yes (7)
Routine Inspections Targeted	Yes (5)	Yes (7)
Unannounced Inspections Permitted	Yes (5)	Yes (7)
Unannounced Inspections Conducted	Yes (5)	Yes (7)
Complaint Mechanism Exists	Yes (5)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (7)

In Chile there are no inspectors specialized in child labor; instead, they are all required to investigate and enforce child labor laws. (7) During the reporting period, 66 labor violations related to child labor laws were found, for which sanctions were imposed. The collected penalties related to these infractions amounted to \$96,563 for the reporting period. (7) Fewer labor inspections were conducted during the reporting period as a result of restrictions put in place due to the COVID-19 pandemic, as all businesses with the exception of essential services were closed from May to July 2020. (7) SENAME reported that 603 children and adolescents found in irregular or illegal situations related to child labor were removed from those situations and received social services during the reporting period. Although the labor inspectorate did not provide information on the number of inspections conducted at work sites during the reporting period, which were affected by the pandemic, inspections were conducted in person as well as remotely. (7)

The number of vehicles available to labor inspectors is insufficient, especially in areas where distances between regional offices and employers can be great. (9) 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. (42)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (5)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (7)
Refresher Courses Provided	Yes (5)	Yes (7)
Number of Investigations	39* (5)	Unknown
Number of Violations Found	Unknown (5)	Unknown
Number of Prosecutions Initiated	39* (5)	18* (43)
Number of Convictions	19 (5)	10 (43)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (5)	Yes (43)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (7)

\*The National Prosecutor's database does not differentiate between investigations and prosecutions.

In 2020, SENAME reported that the Worst Forms of Child Labor Single Registry recorded 337 cases related to drug production/drug trafficking or the use of children and adolescents in other illicit activities between January and December of 2020. (7) The National Prosecutor's Office (MP) also prosecuted two defendants for the commercial sexual exploitation of children and adolescents. (13) The MP also organized multiple trainings

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for prosecutors, MP officials, and public health officials during the reporting period. These included interview techniques of minor children, investigations of commercial sexual exploitation of minors, the protection of rights of child and adolescent victims, and comprehensive forensic evaluation of minor victims of sex crimes. (13) The National Investigations Police's Human Trafficking Brigade (BRITRAP) also conducted training for officers and civilian employees assigned to the new BRITRAP established in Arica. (13)

Legislation to create a new national service responsible specifically for youth and family shelters under the Ministry of Social Development's Under Secretary for Children passed in 2020. The new service is expected to begin operation in 2021. (13)

Despite these efforts, judges frequently suspend or commute sentences of individuals convicted of commercial sexual exploitation of children. (5,12) In addition, the penalties for promoting or facilitating the commercial sexual exploitation of children, ranging from 3 to 20 years imprisonment, are not commensurate with those for other serious crimes, such as rape. (12,43) Moreover, there is a lack of adequate shelters for child victims of trafficking in persons. (36)

## 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
Department of Child Labor Eradication	Ensures Chile's compliance with international treaties that protect children and adolescents in the labor market, in both formal and informal settings, in coordination with the National Minors' Service ( <i>Servicio Nacional de Menores</i> or SENAME). Housed within the Sub Secretariat of Labor. (32,44) Also coordinates both the Social Observatory to Eradicate Child Labor, which conducts technical studies on child and adolescent labor issues and evaluates current policies to eliminate child labor; and the National Advisory Committee on Child Labor. (5,45) Implements the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025). (5,46)
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) with the Social Observatory to Eradicate Child Labor. (14) 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> . (47) The Regional Advisory Committees for the Eradication of Child Labor are led by the Regional Secretary of Labor and replicate at the regional level the functioning of the National Advisory Committee to Eradicate Child Labor. (10) In 2020, held two sessions, one of which analyzed the challenges of the implementation of the public policy in the context of the health crisis caused by the pandemic, and to coordinate actions to commemorate the World Day Against Child Labor. As of November 2020, 21 sessions had been held by the Regional Advisory Committees. (7)
Under Secretariat for Children	Manages, coordinates, and supervises the development and implementation of public policies and programs aimed at protecting children and adolescents, among them the Subsystem of Integral Protection of Children, " <i>Chile Crece Contigo</i> " program. Located under the Ministry of Social Development and Family. (2,7,48,49) Responsible for implementing the National Childhood Policy and its respective Action Plan through coordination mechanisms for intersectoral work. (2,7,48,49) Supports dissemination, training, and awareness-raising actions aimed at promoting rights, and developing studies and research, preparing annual reports on the general state of childhood and adolescence, and collaborating with the Ministry of Foreign Affairs in the preparation of documents the government must present to the specialized bodies and committees at the UN. Also seeks to generate social, economic, and cultural conditions that allow families to adequately care for and protect children and adolescents, guaranteeing their protection and the exercise of their rights. (7) In 2020, convened the Inter-Sectoral Technical Committee comprising 35 institutions. (7)
Inter-Agency Task Force on Trafficking in Persons (MITP)	Coordinates the government's anti-human trafficking efforts. Includes three sub-committees: awareness and prevention, control and prosecution, and protection and support for victims. (36) Led by the Ministry of the Interior with support from law enforcement agencies, Ministry of Foreign Relations, Ministry of Justice, National Prosecutor's Office, SENAME, and others. (5,51) Created regional task forces throughout the country. (5,36) In coordination with the Ministry of Labor and the ILO, the MITP organized a webinar titled "The Role of Companies in Eradicating Child Labor and Trafficking in Persons" in 2020, which was attended by 120 public officials and private sector representatives. (13) In April 2020, the task force also published a statistical report on government-collected demographic data on victims of human trafficking in Chile, which were collected between 2011 and 2019. (52)

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

Coordinating Body	Role & Description
The Tacna-Arica Bi-regional Roundtable*	Focuses on fulfilling the commitments made at the Presidential Meeting and the Third Meeting of Ministers between Peru and Chile, held in October 2019. (7) Established in 2020, the roundtable had its first meeting on October 9, 2020. It is jointly coordinated between the Regional Ministerial Secretariat of Arica and Parinacota of Chile and the Regional Directorate of Labor and Employment Promotion of the Tacna Region of Peru. (7) MINTRAB, through the Department of Child Labor Eradication, functions as technical support to the roundtable. Set up to coordinate efforts and exchange experiences to prevent and eradicate child labor in the border area. (7) During the reporting period, met two times, and held its first activity in December 2020. This activity involved a training on the role of the police, both from Chile and Peru, in the prevention and the eradication child labor. (7)

\* 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
National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers (2015–2025)	Establishes a strategy to eradicate child labor by: combining efforts across national and regional agencies and private and public entities, and requiring regions to establish a strategy to address child labor issues in the area. (47) MINTRAB oversees the implementation of regional strategies, including the design and implementation of regional operating plans. (14) In 2020, 46 activities were reported in different regions of the country and in the Department for the Eradication of Child Labor. These include dissemination conferences, virtual seminars, trainings, lectures, subscription of letters of commitment with various institutions, and collaboration agreements with universities to promote regional research on the subject. (7) In addition, the development of actions at the national level included promulgation of Law 21.271, preparation of the list of activities related to Law No. 21.27, and participation in technical engagements for the ILO's Survey of Activities of Boys, Girls, and Adolescents 2021. (7)
National Plan of Action for Children and Adolescents (2018–2025)	The Action Plan works to consolidate, monitor, and improve all public initiatives that protect the rights of children and adolescents. It was created by the Under Secretary for Childhood. (5,29,53) Among the Plan's many objectives is the increased coordination 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. (29,50,53) MINTRAB participates and provides information and guidance regarding child labor. (54) Research was unable to determine whether activities were undertaken during the reporting period to implement this plan.
Third Action Plan against the Commercial Sexual Exploitation of Children and Adolescents (ESCNNA)	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. (55,56) During the reporting period, SENAME, in conjunction with the Ministry of Justice and Human Rights, reactivated ESCNNA, with the aim of clarifying Chile's commitments to address the commercial sexual exploitation of children. (7)
National Action Plan Against Human Trafficking (2019–2022)	Seeks to prevent and combat human trafficking, with a focus on women and children. Encompasses four strategic areas: prevention and awareness raising; prosecution; victims' assistance and protection; and inter-institutional cooperation and coordination. (57) MITP developed the Action Plan in 2019, which was approved at the working level but is awaiting approval at the ministerial level. However, all member agencies worked under the new plan's guidelines in 2019. (36,58,59) In 2020, SENAME, through its Professional Development Unit of the National Directorate of the Service, implemented the course "Human Trafficking: Conceptualization, Detection and Referral of the Child–Adolescent Victim of Trafficking Population" as part of its commitments in the National Plan. (7)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (60,61)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 funding provided for these programs.



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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
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 Rights of Children. (62) SENAME also administers 18 programs to serve child victims of commercial sexual exploitation. (62) Research was unable to determine whether activities were undertaken during the reporting period to implement this initiative.
USDOL-Funded Projects	<u>Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor</u> , a project that improves knowledge of these issues through research and data-driven techniques, strengthens policies and improves government capacity, and strengthens partnerships to accelerate progress. (64) Additional information is available on the USDOL <a href="#">website</a> .

† Program is funded by the Government of Chile.

In 2020, MINTRAB did not finance any of the social programs established to address child labor issues in the country. This was due to the budget reduction suffered by government institutions, as a result of the need to direct government resources towards the management of the pandemic. (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 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 – 2020
	Criminally prohibit the use of children in illicit activities.	2019 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that inspectors have sufficient transportation resources, such as vehicles, to carry out their duties.	2016 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2020
	Publish information on the number of inspections conducted at work sites during the reporting period.	2020
	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 – 2020
	Publish information on the number of investigations and criminal violations found related to the worst forms of child labor.	2019 – 2020
	Ensure that there are adequate shelters available for child victims of trafficking in persons.	2019 – 2020
	Publish information on activities undertaken to implement the National Plan of Action for Children and Adolescents during the reporting period.	2020
Social Programs	Conduct research to determine the activities carried out by children working in forestry, hunting, and fishing to inform policies and programs.	2020
	Ensure that educational barriers, such as the lack of transportation to school in rural areas and discrimination of migrant children in educational settings, are addressed to prevent child labor.	2018 – 2020
	Ensure that programs established to address child labor are properly funded, active, and activities are published.	2020

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For the 2020 reporting period, no assessment has been made regarding Christmas Island's efforts to advance the elimination of the worst forms of child labor because there is no evidence of a worst forms of child labor problem and the territory has a good legal and enforcement framework on child labor. Nevertheless, in 2020, the Government of Western Australia assented to the Work Health and Safety Act 2020, which will strengthen laws and regulations related to occupational safety and health on Christmas Island, including prohibitions on hazardous child labor. In addition, the Government of Australia adopted a new National Action Plan to Combat Human Trafficking and Slavery 2020–2025.




### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists on Christmas Island. (1)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Christmas Island is non-self governing and is included as part of the territory of the Australian Commonwealth. (2-4) Under the Acts Interpretation Act 1901 (Cth), all laws of the Commonwealth are applicable to Christmas Island as if it were a part of mainland Australia. (3,5) The following conventions, which have been ratified by Australia, have therefore been extended 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). The government's laws and regulations are in line with relevant international standards.

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	17.5	Section 190 of the Children and Community Services Act 2004 (WA) (CI); Section 29 of the School Education Act 1999 (WA) (CI) (6,7)
Minimum Age for Hazardous Work	Yes	18	Regulations 6.2, 6.6, and Schedule 6.3 of the Occupational Health and Safety Regulations 1996 (WA) (CI); Section 10.4 of the Mines Safety and Inspection Regulations 1995 (WA) (CI); Section 193 of the Children and Community Services Act 2004 (WA) (CI) (6,8,9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulations 6.2, 6.6, and Schedule 6.3 of the Occupational Health and Safety Regulations (WA) (CI) 1996; Classes of Licenses for High Risk Work; Section 10.4 of the Mines Safety and Inspection Regulations 1995 (WA) (CI) (8-10)
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Criminal Code Act 1995 (Cth); Sections 270.6, 270.7, and 271.9 of the Crimes Legislation Amendment Act 2013 (Cth) (11,12)
Prohibition of Child Trafficking	Yes		Division 270 and 271 of the Criminal Code Act 1995 (Cth) (11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 16–18 of the Prostitution Act 2000 (WA) (CI); Section 192 of the Children and Community Services Act 2004 (WA) (CI); Section 217 of the Criminal Code Act Compilation Act 1913 (WA) (CI) (6,13,14)

# Christmas Island

## NO ASSESSMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309–310 of the Criminal Code Act 1995 (Cth) (11)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (15)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth) (11)
Compulsory Education Age	Yes	17.5	Section 6 of the School Education Act 1999 (WA) (CI) (7)
Free Public Education	Yes		Section 98 of the School Education Act 1999 (WA) (CI) (7)

\* No conscription (15)

In 2020, the Government of Western Australia assented to the Work Health and Safety Act 2020, which will strengthen laws and regulations related to occupational safety and health on Christmas Island, including prohibitions on hazardous child labor. This act will enter into force once the government finalizes implementing regulations, which are being drafted. (16,17)

On Christmas Island, the Children and Community Services Act 2004 (WA) (CI) sets the minimum age for light work in delivery-types of employment at age 10 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. (6,18) However, the government has noted that there are no delivery services, no post or letter boxes, and no newspaper on Christmas Island; as a result, there are no types of light work present on Christmas Island in which children under age 13 could engage. (4)

### 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. However, 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
Western Australia Department of Communities	Enforces laws related to the minimum age for work through a Service Delivery Arrangement, under which Australian Government services are provided on Christmas Island. (4,19)
Western Australia Department of Mines, Industry Regulation and Safety	Enforces laws related to hazardous child labor and occupational safety and health through a Service Delivery Arrangement under which Australian Government services are provided on Christmas Island. (4,19)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (20) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (21,22)

#### **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.



However, in 2020, one case involving a child subjected to use in the production of pornography on Christmas Island was prosecuted to conclusion, based on an investigation launched in 2019. The perpetrator was convicted and sentenced to 4 years and 4 months in prison under Sections 217(2), 218, and 220 of the Criminal Code Compilation Act 1913 (WA)(CI). (4,14)

## 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 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
Inter-Departmental Committee on Human Trafficking (IDC)	Deals with child labor issues, including its worst forms, from a counter-trafficking perspective. Comprises 12 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and is chaired by the Australian Border Force. (4,21) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for IDC consideration. (4) In 2020, the IDC met twice in plenary sessions and held sub-group meetings at the operational level approximately every 6 weeks. The Committee's work during the reporting period focused on developing the updated National Action Plan to Combat Human Trafficking and Slavery 2020–2025. (4)

In June 2020, the Inter-Departmental Committee on Human Trafficking provided the Australian Government's first annual report to parliament on implementation of the Modern Slavery Act, which establishes requirements for businesses and organizations to report on efforts to reduce the risk of human trafficking and the worst forms of child labor in their supply chains. In December 2020, the government published its own Modern Slavery Statement, indicating efforts to reduce child labor and human trafficking risks in federal government operations and procurement supply chains. (4)

## V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, 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 2020–2025†	Sets five strategic priorities for addressing modern slavery, which the National Action Plan defines as trafficking in persons, slavery, slavery-like practices, and the worst forms of child labor. Priorities include: (a) prevention; (b) disruption, investigation, and prosecution; (c) support and protection for victims; (d) partnerships; and (e) research. (4,26)

† 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.

However, federal cash transfer programs for youth and families are available to residents of Christmas Island. These programs were active in 2020 and may have assisted in preventing child labor on Christmas Island during the reporting period. (4)

## 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 on Christmas Island.

# Christmas Island

## NO ASSESSMENT

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# Cocos (Keeling) Islands

NO ASSESSMENT

For the 2020 reporting period, no assessment has been made regarding the Cocos (Keeling) Islands' efforts to advance the elimination of the worst forms of child labor because there is no evidence of a worst forms of child labor problem and the territory has a good legal and enforcement framework on child labor. Nevertheless, in 2020, the Government of Western Australia assented to the Work Health and Safety Act 2020, which will strengthen laws and regulations related to occupational safety and health in the Cocos (Keeling) Islands, including prohibitions on hazardous child labor. In addition, the Government of Australia adopted a new National Action Plan to Combat Human Trafficking and Slavery 2020–2025.




## 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 non-self governing and are included as part of the territory of the Australian Commonwealth. (2-4) Under the Acts Interpretation Act 1901 (Cth), all laws of the Commonwealth are applicable to the Cocos (Keeling) Islands as if they were a part of mainland Australia. (3,5) The following conventions, which have been ratified by Australia, have therefore been extended 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 are subject to the laws and regulations related to child labor of the Commonwealth of Australia and the state of Western Australia (Table 2). The government's laws and regulations are in line with relevant international standards.

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	17.5	Section 190 of the Children and Community Services Act 2004 (WA)(CKI); Section 29 of the School Education Act 1999 (WA) (CKI) (6,7)
Minimum Age for Hazardous Work	Yes	18	Regulations 6.2 and 6.6 and Schedule 6.3 of the Occupational Health and Safety Regulations 1996 (WA) (CKI); Section 10.4 of the Mines Safety and Inspection Regulations 1995 (WA) (CKI); Section 193 of the Children and Community Services Act 2004 (WA) (CKI) (6,8,9)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulations 6.2 and 6.6 and Schedule 6.3 of the Occupational Health and Safety Regulations 1996 (WA) (CKI); Classes of Licenses for High Risk Work; Section 10.4 of the Mines Safety and Inspection Regulations 1995 (WA) (CKI) (8-10)
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Criminal Code Act 1995 (Cth); Sections 270.6, 270.7, and 271.9 of the Crimes Legislation Amendment Act 2013 (Cth) (11,12)
Prohibition of Child Trafficking	Yes		Divisions 270 and 271 of the Criminal Code Act 1995 (Cth) (11)

# Cocos (Keeling) Islands

## NO ASSESSMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 16–18 of the Prostitution Act 2000 (WA) (CKI); Section 192 of the Children and Community Services Act 2004 (WA) (CKI); Section 217 of the Criminal Code Act Compilation Act 1913 (WA) (CKI) (6,13,14)
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309–310 of the Criminal Code Act 1995 (Cth) (11)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Canberra Act 2600 (15)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Canberra Act 2600 (15)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 268.68 and 268.88 of the Criminal Code Act 1995 (Cth) (11)
Compulsory Education Age	Yes	17.5	Section 6 of the School Education Act (WA) (CKI) (7)
Free Public Education	Yes		Section 98 of the School Education Act (WA) (CKI) (7)

\* No conscription (15)

In 2020, the Government of Western Australia assented to the Work Health and Safety Act 2020, which will strengthen laws and regulations related to occupational safety and health in the Cocos (Keeling) Islands, including prohibitions on hazardous child labor. This act will enter into force once the government finalizes implementing regulations, which are being drafted. (16,17)

In the Cocos (Keeling) Islands, the Children and Community Services Act 2004 (WA) (CKI) sets the minimum age for light work in delivery-types of employment at age 10 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. (6) However, the government has noted that there is no delivery service, no post boxes, and no newspaper in the Cocos (Keeling) Islands, although there is a twice-monthly government-produced community newsletter that students deliver on Saturdays. (1) Based on available information, local policies governing the light work involved in distribution of this newsletter are in line with international standards. (1)

### 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. However, 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
Western Australia Department of Communities	Enforces laws related to the minimum age for work through a Service Delivery Arrangement, under which Australian Government services are provided in the Cocos (Keeling) Islands. (1,18)
Western Australia Department of Mines, Industry Regulation and Safety	Enforces laws related to hazardous child labor and occupational safety and health through a Service Delivery Arrangement, under which Australian Government services are provided in the Cocos (Keeling) Islands. (1,18)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (19) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (20,21)

#### **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 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
Inter-Departmental Committee on Human Trafficking (IDC)	Deals with child labor issues, including its worst forms, from a counter-trafficking perspective. Comprises 12 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and is chaired by the Australian Border Force. (1,21) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for IDC consideration. (1) In 2020, IDC met twice in plenary sessions and held sub-group meetings at the operational level approximately every 6 weeks. The Committee's work during the reporting period focused on developing the updated National Action Plan to Combat Human Trafficking and Slavery 2020–2025. (1)

In June 2020, the Inter-Departmental Committee on Human Trafficking provided the Australian Government's first annual report to parliament on implementation of the Modern Slavery Act, which establishes requirements for businesses and organizations to report on efforts to reduce the risk of human trafficking and the worst forms of child labor in their supply chains. In December 2020, the government published its own Modern Slavery Statement that discussed efforts to reduce child labor and human trafficking risks in federal government operations and procurement supply chains. (1,22)

## V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, 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 2020–2025†	Sets five strategic priorities for addressing modern slavery, which the National Action Plan defines as trafficking in persons, slavery, slavery-like practices, and the worst forms of child labor. Priorities include: (a) prevention; (b) disruption, investigation, and prosecution; (c) support and protection for victims; (d) partnerships; and (e) research. (1,23)

† 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.

However, federal cash transfer programs for youth and families are available to residents of the Cocos (Keeling) Islands. These programs were active in 2020 and may have assisted in preventing child labor in the Cocos (Keeling) Islands during the reporting period. (1)

## 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 the Cocos (Keeling) Islands.



# Cocos (Keeling) Islands

## NO ASSESSMENT

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In 2020, Colombia made significant advancement in efforts to eliminate the worst forms of child labor. In early 2021, the government issued a decree that granted a 10-year Temporary Protective Status to the 1.7 million Venezuelans living in Colombia, providing them access to formal work, healthcare, and education for children. The Ministry of Labor conducted trainings for new and veteran inspectors and the Colombian Institute for Family Well-Being coordinated the "Pact for Growth and Employment Generation in Agro-Industrial Sugarcane," a public-private roundtable that addresses the protection of child rights, including preventing child labor. The Inter-Agency Committee to Combat Trafficking in Persons also completed its evaluation of the 2018 national action plan and launched the new National Strategy for the Fight Against Trafficking in Persons (2020–2024). Furthermore, the government launched a new program, "Generación Sacúdete," which worked with 28,096 children and adolescents in 898 municipalities across 31 departments to help develop life goals. However, children in Colombia are subjected to the worst forms of child labor, including in commercial sexual exploitation and illicit activities, each sometimes as a result of human trafficking. The government does not employ a sufficient number of labor inspectors. Research also indicates that existing social programs are insufficient to address the scope of the worst forms of child labor in Colombia.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Colombia are subjected to 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, based on research conducted in the fourth quarter of every year. (3-5) Table 1 provides key indicators on children’s work and education in Colombia.

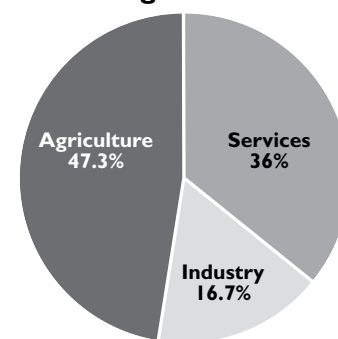
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	2.5 (210,431)
Attending School (%)	5 to 14	93.7
Combining Work and School (%)	7 to 14	2.5
Primary Completion Rate (%)		106.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organizations’ analysis of statistics from Gran Encuesta Integrada de Hogares, Módulo de Trabajo Infantil (GEIH-MTI), 2019. (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.

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

Sector/Industry	Activity
Agriculture	Production of coffee, including the application of pesticides;† production of sugarcane,† cocoa, pome and stone fruits, grapes, and unrefined brown sugar (panela) (4,8-13)
	Animal husbandry,† hunting,† and fishing,† including conch and crab harvesting (4,8,10-14)
Industry	Mining† coal, emeralds, gold, tungsten, coltan, and clay (8,10,11,15)
	Producing bricks and wood charcoal (4,10,15)
	Construction,† particularly of large-scale projects (4)
	Cutting and transporting lumber,† and creating artisanal woodwork such as handicrafts and decorative items (8,11,16,17)
	Processing shrimp and langoustines† (11)
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 (2,4,8,11,18-26)
	Recycling† and garbage scavenging† (1,8,18,27)
	Domestic work,† including caring for children,† cooking, gardening, and shopping for the home (4,8-11,28)
	Working in retail establishments, hotels, and restaurants (3,4,8,10,11)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (8,11,29-32)
	Use in the production of pornography (4,8,11,12,23,33)
	Recruitment of children by non-state armed groups for use in armed conflict (4,32,34)
	Use in illicit activities by illegal armed groups and criminal organizations to commit homicides, traffic drugs, and forced begging; and in the production of marijuana and coca (stimulant plant), each sometimes as a result of human trafficking (4,32,34,35)

† 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.

Reports indicate that the forced recruitment and use of minors in Colombia by illegal armed groups, including *Fuerzas Armadas Revolucionarias de Colombia* dissidents, the National Liberation Army, and non-ideological criminal organizations such as the Gulf Clan, continued in 2020. (4,11,34) The government reported at least 83 cases of children forcibly recruited into armed groups in 2020, with most cases occurring in rural areas and in the departments of Caquetá, Cauca, Putumayo, Antioquia, and Arauca. Security forces also rescued at least 495 children from armed groups. (4) Children are typically recruited by armed groups to perform intelligence and logistical activities, store and transport weapons, and are exploited in commercial sex. (8,23,32,34)

Commercial sexual exploitation of children occurs more often in private homes rented online than in commercial establishments. (11) Children are particularly vulnerable in areas with foreign tourism, in mining communities, and in areas with large construction projects. (4) Some child victims of commercial sexual exploitation are allegedly recruited in schools by other students and, in some cases, prostitution ring members conduct surveillance around schools in search of girls. (4,11,31) Indigenous women and children and Venezuelans and their children, are particularly vulnerable to commercial sexual exploitation, domestic servitude, forced begging, and recruitment by armed groups. (31-33) Young girls suffer commercial sexual exploitation along the highway between Medellín and Bogotá. (11,29) In mining areas, trafficking of children for forced labor and commercial sexual exploitation is widespread. (8,11,23,36)

Reports indicate that armed groups and criminal gangs recruit Colombian and Venezuelan children as young as age 12 to produce and traffic drugs and commit homicides and extortion. (4,35,37,38)







Although basic education is free and compulsory for all children up to age 18, in practice children in rural parts of the country face barriers to accessing education due to lack of infrastructure and teachers as well as violence. (4) The COVID-19 pandemic had a significant impact on access to education. Official figures indicate 158,000 students had left the public education system through October due to the pandemic, but civil society organizations suggest the figure is higher. (4,5) Despite these challenges, the government reported that as of October 2020, there were 363,126 Venezuelan children that matriculated in Colombia’s education system, up from 206,138 children in October 2019. (4,5) The Ministry of Labor (MOL) reported unemployment and

informal work increased as a result of the pandemic and economic fallout. According to government statistics, unemployment reached a peak of 21.4 percent in May and poverty rose to 42.5 percent in 2020. (4,5) These economic challenges increased the risk of labor trafficking, including forced begging, and commercial sexual exploitation for adults and children in Colombia, including for vulnerable populations such as Venezuelan migrants. (4,5,32)

## 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Colombia's legal framework to adequately protect children from the worst forms of child labor, including the difference in 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	Yes	15	Article 35 of the Code on Childhood and Adolescence (39)
Minimum Age for Hazardous Work	Yes	18	Article 117 of the Code on Childhood and Adolescence (39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 3 of Resolution 1796 (40)
Prohibition of Forced Labor	Yes		Article 17 of the Constitution; Articles 141 and 188A of the Penal Code (41,42)
Prohibition of Child Trafficking	Yes		Article 17 of the Constitution; Articles 188A–188C of the Penal Code (41,42)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 213–219B of the Penal Code (42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 162, 188D, and 384 of the Penal Code (42)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 81 of Law 1861 (43)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law 1861 (43)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 162 of the Penal Code; Article 20 of Law 1098; Article 14 of Law 418 (39,42,44)
Compulsory Education Age	Yes	18	Decree 4807 of 2011 (45)
Free Public Education	Yes		Articles 2.3.1.6.4.1 and 2.3.1.6.4.2 of Decree 1075; Article 1 of Decree 4807; Article 28 of the Child and Adolescent Code (39,45,46)

In March 2021, the Colombian Government issued Decree 216, which granted a 10-year Temporary Protective Status (TPS) to more than 1.7 million Venezuelans living in Colombia. The TPS will allow authorities to identify

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Venezuelans with irregular status in a national biometric registry and grant them formal access to work, healthcare, banking, and education for children. (5,47,48)

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 enforcement agencies that may hinder adequate enforcement of 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. (11,49) Also operates the Comprehensive Child Labor Information System, a child labor monitoring system that identifies children engaged in or at risk of child labor. (11) Collects fines for labor violations assessed after January 1, 2020, and administers proceeds through a fund designated to strengthen the labor inspectorate. (4,5)
Active Search Team for Trafficking in Persons, Sexual Exploitation of Children, Girls, and Adolescents and Related Crimes (Bogotá)	Uses a proactive investigation model to identify crimes related to human trafficking and the sexual exploitation of children, including girls, in Bogotá instead of waiting for victims to seek attention at the national level. Created in 2018 by the Bogotá Mayor's office. (23,50)
National Police	Investigate cases of commercial sexual exploitation and human trafficking and house the Child Protection Police unit. (11) Judicial police and the Technical Investigation Corps support the Attorney General's Office throughout the investigation process. (11)
Attorney General's Office (AGO)	Investigates and prosecutes cases of child recruitment for use in armed conflict and illicit activities, 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. (8,11,39) Also oversees the Articulation Group for Combating Trafficking in Persons, which includes prosecutors, analysts, and judicial police engaged in combating organized crime and human trafficking. (51)

### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$2,200,000 (11)	\$875,000 (4)
Number of Labor Inspectors	791 (11)	845 (4)
Inspectorate Authorized to Assess Penalties	Yes (53)	Yes (53)
Initial Training for New Labor Inspectors	Yes (11)	Yes (4)
Training on New Laws Related to Child Labor	N/A (11)	N/A
Refresher Courses Provided	Yes (11)	Yes (4)
Number of Labor Inspections Conducted	Unknown (11)	Unknown (4)
Number Conducted at Worksite	Unknown (11)	Unknown (4)
Number of Child Labor Violations Found	Unknown (11)	Unknown (4)
Number of Child Labor Violations for Which Penalties Were Imposed	12 (11)	Unknown (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	Unknown (4)
Routine Inspections Conducted	Yes (11)	Unknown (4)
Routine Inspections Targeted	Yes (11)	Unknown (4)



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

Overview of Labor Law Enforcement	2019	2020
Unannounced Inspections Permitted	Yes (53)	Yes (53)
Unannounced Inspections Conducted	Yes (11)	Unknown (4)
Complaint Mechanism Exists	Yes (11)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (4)

As a result of the pandemic, MOL issued Resolutions 0784 and 0876 in March and April 2020, respectively, which temporarily suspended certain activities that required physical contact such as field-based inspections and hearings of labor conflicts. (4,5,54,55) The resolutions also suspended the labor inspectorate's review and adjudication of labor complaints, including those for violations not directly related to the pandemic. (4,5) Although these restrictions ended in September, the government did not provide information on the number of worksite inspections, violations identified, or penalties applied outside of this suspension for inclusion in this report. (4) These pandemic-related suspensions affected the labor inspectorate's 2020 budget, which was partially dependent on fine collection. (56)

Nonetheless, MOL used virtual capabilities during the pandemic to carry out 7,624 virtual labor inspections and to conduct trainings for new and veteran inspectors, including training 107 new inspectors on a "Fundamental Rights at Work" course that included several modules on child labor. (4)

Reports indicate that resource allocation for labor law enforcement in rural areas, such as Amazonas and Vichada, is insufficient. (4,57) In some cases, inspectors carry out inspections in a small geographic area due to a lack of transportation to reach areas accessible only by boats or small planes. (1) In addition, the number of labor inspectors is likely insufficient for the size of Colombia'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 industrializing economies, Colombia would employ about 1,645 inspectors. (5,9,58)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Colombia took actions to combat child labor (Table 7). However, gaps exist within the operations of 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	2019	2020
Initial Training for New Criminal Investigators	No (11)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A
Refresher Courses Provided	No (11)	Yes (4)
Number of Investigations	2,883 (11)	2,568 (4)
Number of Violations Found	3,512 (11)	2,124 (4)
Number of Prosecutions Initiated	764 (11)	71 (4)
Number of Convictions	378 (57)	229 (59)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (57)	Yes (59)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (4)

In 2020, the Attorney General's Office (AGO) reported that out of the criminal cases investigated pertaining to the worst forms of child labor, 11 percent were related to the use of children in illicit activities, 40 percent to the use of children in pornography, and the remaining were related to forced recruitment, commercial sexual exploitation, and human trafficking. Of the 71 individuals charged, 35 percent were charged for the use of children in illicit activities. (4) During the reporting period, 421 criminal investigators were trained on concepts related to the worst forms of child labor, 75 were trained on identifying human trafficking, and another 206 were trained on investigating and prosecuting human trafficking crimes. (4) To better address human trafficking crimes,

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the AGO led five inter-governmental trainings on trafficking identification for 5,431 government employees and 459 AGO investigators. The Ministry of the Interior (MOI) also conducted mock trials as an educational tool for those involved in prosecuting such crimes. (32)

Although the government took action on crimes related to the commercial sexual exploitation and human trafficking of children and collected data on these crimes, the AGO reported that its case management system tracks criminal proceedings through conviction only and does not include information on sentencing. (4,11,60,61) In addition, although the AGO maintains some information on emblematic criminal cases regarding trafficking in persons, including those involving children, it does not maintain or publish comprehensive, annual statistics on convictions and sentencing for cases involving the worst forms of child labor. (4,62)

Civil society has noted a lack of specific budget allocations by government institutions for addressing trafficking in persons. (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 the inconsistent coordination in human trafficking victim identification.

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

Coordinating Body	Role & Description
Inter-Agency 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 as specified in Article 3(d) of ILO Convention 182. (4) Chaired by MOL, includes 13 government agencies and representatives from trade unions, business associations, and civil society organizations. Oversees department-level CIETIs throughout the country, each comprising municipal-level committees. (9,63) In 2020, 28 department-level CIETIs participated in virtual trainings and workshops on the National Policy Guidelines to Prevent and Eradicate Child Labor. Local CIETIs also worked with the Mobile Teams for Comprehensive Protection (EMPIs) to give technical assistance across 417 municipalities. (4)
National Inter-Agency 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. In 2020, the committee carried out various activities under the National Strategy for the Prevention and Eradication of the Commercial Sexual Exploitation of Children. (9)
Colombian Institute for Family Well-Being (ICBF)	Operates Mobile Teams for Comprehensive Protection Against Child Labor 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. (11,16) Serves as Administrator of the Fund Against Sexual Exploitation of Children and Adolescents. (64) Processes child labor complaints, operates telephone hotlines to report child labor cases, and provides social services to children engaged in or at risk of child labor. (8,11) ICBF is the lead agency among those comprising the National System of Family Well-Being, which promotes inter-agency coordination to protect children's rights, including those related to child labor, and designs, implements, monitors, and evaluates policies related to childhood and adolescence. (5,9,65) During the reporting period, ICBF provided capacity-building assistance to various local CIETIs focusing on child labor prevention and offered trafficking in persons-related trainings to regional officials. ICBF also coordinated the "Pact for Growth and Employment Generation in Agro-Industrial Sugarcane*," a public-private roundtable that addresses the protection of child rights, including preventing child labor. (4)
Inter-Agency 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 (MOI), and comprises 16 government entities and six permanent invitees, including private sector and international organizations. (1) In 2020, the committee completed its evaluation of the 2018 national action plan on trafficking in persons and launched the new National Strategy for the Fight Against Trafficking in Persons (2020–2024), which included consultations with stakeholders in civil society, academia, and the international community. The committee also conducted 100 trafficking in persons-related trainings with government officials, including sessions to develop national action plans, and promoted the "Zero Complicity" anti-trafficking in persons campaign. (4)

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

Coordinating Body	Role & Description
Inter-Sectorial Commission for the Prevention of the Recruitment and Use of Children by Illegal Armed Groups (CIPRUNNA)	Guides, coordinates, and monitors the actions carried out by state entities at both the national and territorial level to prevent violations of children and adolescents' rights, with a fundamental focus on protection from child recruitment by illegal armed groups, including for the purposes of commercial sexual exploitation. (4,66) Led by the Presidency's Office for Human Rights and International Affairs, comprises 22 entities, including AGO and MOL as permanent members. (4,11,66-68) In 2020, adopted an action plan to implement the National Policy for the Prevention of Recruitment, Use, and Sexual Violence Against Children and Adolescents by Illegal Armed Groups or Organized Criminal Groups. The action plan prioritizes 200 municipalities based on level of risk to children of recruitment by armed groups. (4)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (69-72)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

In 2020, MOI's Anti-Trafficking Team achieved a longstanding goal of constructing action plans to combat human trafficking in all 32 departments. The Team also created a specific Caribbean-focused action plan to fight child sex tourism and enacted new human trafficking victim protection and assistance procedures in 13 departments. (32)

Research indicates there is inconsistent coordination in the areas of human trafficking victim identification and assistance, which may hinder anti-trafficking efforts. (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
National Policy Guidelines to Prevent and Eradicate Child Labor and Protect the Adolescent Worker (2017–2027)	Aims to address child labor in the agriculture sector; 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. (73) The policy also contains a Roadmap for the Prevention and Elimination of Child Labor in Mining and a cooperative agreement between the Ministry of Mining and Energy and ICBF to prevent child labor in mining. (74,75) As part of the implementation of the policy, MOL updated the Comprehensive Child Labor Information System (SIRITI) in 2020 by adding a mechanism through which the public can anonymously report child labor cases. Following its review and updating of SIRITI cases, MOL reported that, as of December, the system registered 13,791 cases of children in or at risk of child labor. (4)
National Policy on Childhood and Adolescence (2018–2022)	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 the recruitment and use of children by non-state armed groups. (8,76) Focuses on the comprehensive welfare and development of children and adolescents, recognizing them as rights-bearing subjects and integral to national development. (8,76) During the reporting period, ICBF continued implementation of its Strategy for the Prevention of Specific Risks, which includes goals to eliminate and prevent child labor, and released an operating manual for the strategy. (4)
National Strategy for the Prevention and Eradication of the Commercial Sexual Exploitation of Children (2018–2028)	National policy that guides Colombian Government actions at the national, departmental, and municipal levels for the prevention of commercial sexual exploitation, victim assistance, and the strengthening of sentencing for abusers. (77) As part of this national strategy, the Colombian Government maintains an "Eyes Everywhere" ("Ojos en Todas Partes") public awareness campaign, which aims to prevent child sex tourism. Led by the Ministry of Commerce, Industry, and Tourism, and implemented in coordination with ICBF and the National Tourism Fund. (1,8,23) The "Eyes Everywhere" campaign continued throughout the reporting period with the goal of better identifying solicitors and victims of child sex tourism. (4) In commemoration of the International Day Against the Commercial Sexual Exploitation of Children, the government launched its "Protecting Them Begins with Me" campaign, under which it conducted 31 virtual trainings on preventing the exploitation of children. (4,78)
National Strategy for the Fight Against Trafficking in Persons (2020–2024)†	Aims to prevent human trafficking by focusing on providing immediate assistance to victims, promoting effective inter-agency coordination, international cooperation, and research and knowledge management. (79) Established by Decree 1818 in 2020 and led by the Inter-Agency Committee to Combat Trafficking in Persons. (4) The new strategy also prioritizes migration and border-related risks, including armed conflict, violence, and sex trafficking, and emphasizes prevention among migrant populations. (4)

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

Policy	Description
National Policy for the Prevention of Recruitment, Use, and Sexual Violence Against Children and Adolescents by Illegal Armed Groups or Organized Criminal Groups (2018–2028)	Directs actions to prevent the recruitment and use of children by armed groups. Aims to address violence against children, including the worst forms of child labor, and improve inter-agency coordination. (80) The government also has a Roadmap for the Restoration of Rights, Assistance, and Reparation for Children and Adolescent Victims of the Armed Conflict that establishes protocols to assist child victims of armed conflict and is implemented through inter-institutional mechanisms in various departments. (10,81) In 2020, the Presidency's Office for Human Rights and International Affairs reported that CIPRUNNA adopted an action plan to implement the National Policy for the Prevention of Recruitment, Use, and Sexual Violence Against Children and Adolescents by Illegal Armed Groups or Organized Criminal Groups. The action plan prioritizes 200 municipalities based on level of risk to children of recruitment by armed groups. (4)

† The 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. (8,82)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (83) In 2020, continued to use 44 mobile teams to conduct numerous child labor prevention efforts, including "active searches" for children engaged in child labor. Accompanied by Child Protection Police and other local officials, the mobile teams conducted searches in 84 municipalities, in which a total of 2,304 children were found engaged in child labor. (4) ICBF also launched a new program, "Generación Sacúdete," which worked with 28,096 children and adolescents in 898 municipalities across 31 departments to help them develop life skills. (4) In addition, ICBF implemented the new "My Hands Teach You" ( <i>Mis Manos Te Enseñan</i> ) program in response to the pandemic lockdown, supporting 1.7 million vulnerable children with education and nutritional assistance at home. (4,84)
Programs 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 human trafficking victims. (9) The Ministry of Foreign Affairs' campaign, "Do Not Ignore Trafficking" ( <i>#AnteLaTrataNoSeHaga</i> ), is directed at border populations with limited access to digital platforms. (85) The "#EsoEsCuento" ("Don't be Fooled") campaign to prevent human trafficking continued in 2020, through 227 outreach events reaching 31 regions of the country. (4)
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. (86) Nearly every country in Latin America participates in the initiative. (87) This program continued during the reporting period. (88)
Development for Social Prosperity Programs†	More Families in Action ( <i>Más Familias en Acción</i> ) uses a conditional cash transfer program 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. (89-91) The programs continued throughout the reporting period. (4,56)

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

Program	Description
USDOL-Funded Projects	<u>We Are a Treasure (Somos Tesoro)</u> , a \$11.25 million, 7 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; <u>Somos Tesoro</u> ended in 2020, and celebrated 7 years of work on formalizing mining, reducing economic vulnerability, providing educational opportunities, and strengthening legislation and policies on mining. (92,93) Other projects include <u>Preventing and Reducing Child Labor and Forced Labor in Palm Oil Supply Chains (Palma Futuro)</u> , a \$6 million project implemented by Partners of the Americas 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; <u>Colombia Avanza</u> , a \$2 million Partners of the Americas project that focuses on building the capacity of civil society to more adequately combat child labor and other abuses in Colombia's coffee sector; <u>Cooperation on Fair, Free and Equitable Employment (COFFEE)</u> , a \$2 million project implemented by Verite to help businesses establish systems to prevent, detect, and eliminate child labor and other forms of exploitation from their supply chains; <u>Building the Capacity of Civil Society to Combat Child Labor and Improve Working Conditions in Colombia (Pitares)</u> , a \$2 million project implemented by PACT that strengthens the capacity of civil society organizations to detect and address child labor and working conditions in gold mining; <u>Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor</u> , a \$2 million project implemented by the ILO that improves knowledge on these issues through data-driven techniques, strengthens policies and improves government capacity, and strengthens partnerships to accelerate progress. Continues to work with MOL on the Electronic Case Management System, virtual training campus for labor inspectors, and supporting strategic compliance planning, and strengthening fine collection; and <u>Equal Access to Quality Jobs for Women and Girls in Agriculture (EQUAL)</u> , a \$5 million project in support of the Women's Global and Prosperity Initiative implemented by PACT. (94-100) The project is aimed at reducing the risk of child labor, forced labor, and other violations of labor rights by empowering vulnerable women and girls working in the production of unrefined brown sugar (panela) and the cut flowers sector and promoting better understanding of labor rights. (100) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (8,10,101,102)

Despite these efforts, research indicates that existing social programs are insufficient to address the scope of the worst forms of child labor problem in Colombia. (4,11)

## 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 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 at which education is compulsory.	2018 – 2020
Enforcement	Ensure that all labor inspectors have sufficient resources, especially in rural areas, to perform inspections.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Publish information on labor law enforcement efforts, including the number of inspections conducted, child labor violations found, penalties imposed and collected for child labor violations, and whether routine inspections were conducted.	2009 – 2020
	Publish information on whether new criminal investigators receive initial training.	2018 – 2020
	Collect and publish data on penalties and sentencing for crimes related to the worst forms of child labor.	2018 – 2020
Coordination	Ensure that government efforts on human trafficking victim identification and assistance are adequately coordinated among agencies.	2018 – 2020
Social Programs	Expand efforts to improve access to education for all children, including by improving transportation infrastructure, building more schools in rural areas, and by increasing the number of teachers.	2013 – 2020
	Expand social programs to sufficiently address the scope of the worst forms of child labor.	2020



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In 2020, Comoros made moderate advancement in efforts to eliminate the worst forms of child labor. The government passed a new penal code that criminalizes child trafficking, forced labor, and hazardous child labor. It also raised its compulsory education age to 16, in line with international standards. In addition, Comoros reactivated its anti-trafficking task force and developed a new anti-trafficking action plan. However, children in Comoros are subjected to the worst forms of child labor, including in forced labor in agriculture. Children also perform dangerous tasks in domestic work. Limited resources for the enforcement of child labor laws may impede government efforts to protect children from the worst forms of child labor. Furthermore, labor and criminal investigators lack the resources and funds necessary to enforce laws related to the worst forms of child labor, and Comoros lacks a national action plan to combat child labor. Finally, social programs to combat child labor may be insufficient to adequately address the extent of the problem.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Comoros are subjected to the worst forms of child labor, including in forced labor in agriculture. Children also perform dangerous tasks in domestic work. (1-3) 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, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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 manioc,† beans,† vanilla,† cloves,† and ylang-ylang† (3,6,7)
	Animal husbandry† (1,3,7)
	Fishing† (1,3,7)
Industry	Construction,† including in carpentry† (1,3,7)
	Extracting and selling marine sand (3,6)
Services	Domestic work† (1,7,8)
	Street vending (1,9)
	Repairing cars† and bicycles,† including tire vulcanization,† and battery charging† (1,6)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, construction, street vending, baking, fishing, and agriculture (2,6,7,10)

† 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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Data detailing the prevalence of children engaged in the worst forms of child labor in Comoros are not available; however, anecdotal reports suggest that some children are subjected to domestic servitude and forced labor in the agricultural and fishing sectors. (3,10) Children from poor or rural families are at higher risk of being placed into forced labor. (3,11) Some parents who are unable to care for their children send them to wealthier families, who are expected to provide food, shelter, and schooling for the children in exchange for housework. In practice, some may become domestic workers and victims of labor exploitation and abuse. (3,7,11,12) In Comoros, it is a traditional practice to send children to Koranic teachers to receive an education. Some Koranic teachers, however, may force their students to work rather than attend school, or to earn funds to pay school fees; girls usually perform domestic work, and boys perform agricultural labor. (3,11-13) 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. (2,11,14) There are reports that drug traffickers use teenagers to transport drugs on boats to Mayotte. (7)




Children in Comoros often work on family farms or family fishing boats, performing agricultural tasks with sharp tools, carrying heavy loads of products, and climbing tall heights to harvest fruit. In construction, children work without basic safety or protective equipment. (7)

In 2020, Comoros revised its education law, raising the compulsory age of education up from 12 years of age previously. (3,15) The law establishes compulsory education between ages 3 and 16. (16) However, no law establishes free basic education. (3,17,15) Although approximately equal numbers of boys and girls attended public primary schools, fewer girls completed primary education. Due to a lack of facilities to accommodate female menstrual cycles, girls often miss school or leave altogether. (3,13,18) Furthermore, poor school infrastructure, the limited availability of teachers, and physical and sexual violence in schools may impede access to education and increase the vulnerability of children to the worst forms of child labor. (3,7,8,19)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

On January 25, 2020, the President of Comoros issued Decree No. 20-024-PR, which allowed Comoros to begin the ratification process with the UN on the Palermo Protocol on Trafficking in Persons. (7,11) Comoros officially acceded to the Protocol in June of 2020. (3,20) Comoros has thus 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 Comoros's legal framework to adequately protect children from the worst forms of child labor, including the lack of minimum age protections for all children.



**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 (21)
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 (21,22)
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 (21-23)
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 (21,22)
Prohibition of Child Trafficking	No		Article 131 of the Labor Code; Articles 13 and 14 of the Law to Combat Child Labor and Trafficking (21,22)
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 (21,22,25)
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 (21,22)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 41, 52, and 58 of Law No. 97-06/AF (26)
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 (22)
Compulsory Education Age	Yes	16	Article 2 of the Outline Act on the Education System; Article 4 on the Decree on Education Policy (17,16)
Free Public Education	No		Article 1 of the Outline Act on the Education System; Preamble of the Constitution (17,27)

\* No conscription (28)

In 2020, Comoros's National Assembly passed a new penal code that criminalizes child trafficking, forced child labor, child labor in hazardous occupations, and other instances of the worst forms of child labor. Under the law, convicted child traffickers are subject to a 10 to 20 year prison sentence and fines up to \$75,000. (10,24) However, Comoros's Law to Combat Child Labor and Trafficking defines child trafficking as requiring the use of force, fraud, or coercion. (2,22) While the Labor Code does not stipulate this requirement, it also does not exclude the means of force, fraud, or coercion for child trafficking victims. (13,21,22) The new Penal Code also does not exclude the means of force, fraud, or coercion for child trafficking victims. (24) Thus, Comoros's child trafficking laws do not meet international standards.

The Labor Code allows children under age 15 to perform light work in domestic work or agriculture if it does not interfere with their education or physical or moral development. The Labor Code, however, does not set 13 as the minimum age for light work, 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. (13,17,21) In addition, the Labor Code applies only to workers 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. (13,21)

### 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 enforcement agencies that may hinder adequate enforcement of child labor laws.

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**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. (3,13)
Police Morals and Minors Brigade	Investigates allegations of child abuse, including child trafficking, and refers cases for prosecution. (1,29,30) Operates nationwide, covering the islands of Grande Comore, Anjouan, and Mohéli. Collaborates with <i>Services d'Écoute</i> (Listening Services). (6,31)
Ministry of Justice	Prosecutes criminal cases, including those related to child trafficking. Has specialized courts for minors, with judges responsible for the prosecution of cases involving forced labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities. (1,3,28)
National Commission for Human Rights and Freedoms	Receives complaints about the worst forms of child labor, investigates violations, and refers cases to the Ministry of Justice for prosecution. (9,32)

### Labor Law Enforcement

In 2020, 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 (MOL) 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	2019	2020
Labor Inspectorate Funding	0 (7)	0 (3)
Number of Labor Inspectors	4 (7)	3 (3)
Inspectorate Authorized to Assess Penalties	Yes (21)	Yes (21)
Initial Training for New Labor Inspectors	Yes (7)	N/A (3)
Training on New Laws Related to Child Labor	N/A (7)	N/A (3)
Refresher Courses Provided	No (7)	Yes (21)
Number of Labor Inspections Conducted	12 (7)	80 (3)
Number Conducted at Worksite	12 (7)	80 (3)
Number of Child Labor Violations Found	0 (7)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (7)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (7)	N/A (3)
Routine Inspections Conducted	Yes (7)	Yes (3)
Routine Inspections Targeted	Yes (7)	Yes (3)
Unannounced Inspections Permitted	Yes (7)	Yes (21)
Unannounced Inspections Conducted	Yes (7)	No (3)
Complaint Mechanism Exists	Yes (7)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (3)

During the reporting period, the labor inspectorate significantly increased its number of inspections compared to the previous year, with inspectors conducting on-site visits to verify compliance with COVID-19 pandemic regulations. However, none of the inspections were child-labor specific. (3)

The number of labor inspectors is likely insufficient for the size of Comoros's 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. (33,34) Reports indicate that there is a lack of training, equipment, transportation, and funding available to conduct child labor inspections and legal proceedings. (2,3,31,34,35) Inspectors have indicated that although there is a budget for fixed costs such as salaries, there is no operating budget for the labor inspectorate, and labor inspectors have to rely on their own funds for costs such as transportation. (2,3,7)

Although the labor inspectorate is permitted to conduct unannounced inspections, in practice, inspectors usually only respond when MOL receives complaints, and they conduct inspections only in the formal sector, even though most child labor is concentrated in the informal sector. The labor inspectorate is required to submit

a yearly report detailing its work, including statistics on inspections, offenses identified, and penalties imposed; however, no report of this type was identified during the reporting period. (3) Finally, although a reciprocal referral mechanism was established under the National Action Plan for the Elimination of the Worst Forms of Child Labor in Comoros 2010–2015, it does not appear that this mechanism is currently active. (3)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Comoros took actions to combat child labor (Table 7). However, gaps exist within the operations of the Police 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	2019	2020
Initial Training for New Criminal Investigators	No (7)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (7)	N/A (3)
Refresher Courses Provided	No (7)	Yes (10)
Number of Investigations	Unknown (7)	Unknown (3)
Number of Violations Found	Unknown (7)	Unknown (3)
Number of Prosecutions Initiated	Unknown (7)	Unknown (3)
Number of Convictions	Unknown (7)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (7)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (3)

During the reporting period, the National Commission for Human Rights and Liberty partnered with UNICEF to conduct training for 60 members of the National Police and Gendarmerie on trafficking in persons concepts. Similarly, the Anti-Trafficking in Persons Task Force worked with UNODC to conduct a series of virtual trainings related to the UN Convention Against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children. (3,36)

Reports indicate that a lack of trained staff, equipment, transportation, and funding inhibit criminal law enforcement efforts on the worst forms of child labor. (2,3,30)

The government did not provide comprehensive data on its criminal law enforcement efforts 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
National Committee Against Child Labor	Coordinates government efforts on child labor. Chaired by MOL. (1,8) Research could not determine whether the National Committee Against Child Labor was active or received funding during the reporting period.
Inter-Agency Anti-Trafficking Task Force*	Reconstituted in late December of 2019 under the direction of the Foreign Ministry. Comprises multiple government agencies, the <i>Services d'Écoute</i> , NGOs, and international organizations. Leads government efforts in anti-trafficking policies. (3) During the reporting period, the Task Force adopted a short-term national action plan to combat trafficking in persons in 2020. (3,36)
National Commission for Solidarity, Social Protection, and the Promotion of Gender	Coordinates new government efforts to strengthen partnerships with state and non-state actors engaged in child protection issues. (7) Research could not determine whether the Commission was active or received funding during the reporting period.

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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### 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 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 Promotion. (1,8,29,37) Research was unable to determine whether activities were undertaken to implement the National Policy for the Protection of Children during the reporting period.
Anti-Human Trafficking Action Plan†	Drafted in 2020, outlines nine strategic priorities and identifies the roles various government ministries play within those priorities. Managed by the Inter-Agency Anti-Trafficking Task Force, includes goals such as improving resources for law enforcement personnel responsible for responding to child trafficking cases, and working with international stakeholders to combat the trafficking of children from Comoros to Mayotte. (3,38)

† Policy was approved during the reporting period.

Although child labor is integrated into some government policies, Comoros has not adopted a new national action plan to address child labor. (7)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Listening Services ( <i>Services d'Écoute</i> )†	Government program that provides protective services and offers immediate assistance to vulnerable and abused children. Comprises four government-operated units on the islands of Anjouan, Grande Comore, and Mohéli. (31,44-46) Investigates allegations of violence against children, including the worst forms of child labor, and refers perpetrators to criminal authorities for prosecution. (7,31,47) During the reporting period, the program reported it had provided services to 189 children and women across all three islands, including counseling, legal guidance, medical support, and protection. (3)
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. (47,39) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.

† Program is funded by the Government of Comoros.

An independent evaluation of *Services d'Écoute* found that it responded to the needs of child victims of violence and improved the professionalism of those responding to child victims. However, program personnel lack relevant training in social services provision and in international standards on child protection, which has resulted in incomplete casework and a lack of follow up with, or evaluations of, child victims. (46,48)

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. (28-30,49)

### 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	Ensure that the law's light work provisions set 13 as the minimum age, 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 – 2020
	Establish by law the right to free basic education.	2020
	Ensure that the law's minimum age for work provisions and protections apply to children in unpaid or non-contractual work.	2015 – 2020
	Align child sex trafficking laws with international standards by ensuring that force, fraud, or coercion are not required elements in child trafficking cases.	2019 – 2020
Enforcement	Provide the labor inspectorate with an operating budget for resources, training, transportation, and equipment to provide adequate coverage of the workforce.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2020
	Ensure that inspectors carry out inspections in the informal sector.	2020
	Ensure that the labor inspectorate uses its authority to conduct unannounced inspections rather than relying solely on complaints received to initiate inspections.	2017 – 2020
	Ensure that the labor inspectorate fulfills its mandate to collect and publish data and statistics related to inspection efforts.	2019 – 2020
	Establish and use a functioning reciprocal mechanism between labor enforcement authorities and social services.	2019 – 2020
	Publish information on the number of criminal law investigations, violations found, penalties assessed, prosecutions initiated, and convictions related to cases of the worst forms of child labor.	2009 – 2020
	Increase the number of trained criminal law enforcement personnel and trainings, as well as the allocation of resources, transportation, and equipment, to enhance criminal law enforcement efforts related to the worst forms of child labor.	2009 – 2020
	Ensure that there are sufficient funds and resources to investigate crimes related to the worst forms of child labor.	2018 – 2020
Coordination	Ensure that coordinating mechanisms are active and receive adequate funding to fulfill their missions.	2014 – 2020
Government Policies	Ensure that relevant policies are implemented, address child labor-related mandates, and report on yearly activities.	2019 – 2020
	Adopt a new National Action Plan to Combat Child Labor and develop other relevant policies to combat the worst forms of child labor.	2016 – 2020
Social Programs	Enhance efforts to eliminate barriers to education, including for girls and poor children, by increasing school capacity, infrastructure, and teacher availability, and by addressing school violence.	2014 – 2020
	Collect and publish data on the prevalence of child labor and the types of work children perform in Comoros.	2019 – 2020
	Ensure that social program personnel, such as those in the <i>Services d'Écoute</i> , have adequate and relevant training to be able to appropriately respond to the needs of child victims, including those abused by religious leaders.	2019 – 2020
	Implement and expand existing programs to address the scope of the child labor problem, particularly in agriculture and domestic work.	2009 – 2020

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In 2020, the Democratic Republic of the Congo made moderate advancement in efforts to eliminate the worst forms of child labor. The national anti-trafficking coordinating body successfully prosecuted several cases of forced child labor, human trafficking, and commercial sexual exploitation. The Ministry of Defense also issued a zero-tolerance policy for child recruitment, and the Armed Forces of the Democratic Republic of the Congo identified and began prosecuting an army officer responsible for operating a child trafficking ring. Moreover, the government's universal primary education decree continued to reduce the number of children vulnerable to labor exploitation and the government task force on the Africa Growth and Opportunity Act, in conjunction with the Ministry of Employment, Labor, and Social Welfare, published a manual to address child labor in the Democratic Republic of the Congo's agricultural sector. However, children in the Democratic Republic of the Congo are subjected to 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. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not publish labor or criminal law enforcement data. The government also failed to take 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. Other gaps remain, including a lack of trained enforcement personnel, limited financial resources, and poor coordination of government efforts to combat child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Democratic Republic of the Congo (DRC) are subjected to 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 I 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 I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	17.4 (Unavailable)
Attending School (%)	5 to 14	68.8
Combining Work and School (%)	7 to 14	16.3
Primary Completion Rate (%)		69.9

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2017–2018. (9)

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

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**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)
	Herding and raising livestock such as chickens, goats, and pigs, including feeding, cleaning cages or stalls, and disposing of waste (13,15)
	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) (1,4,5,10-14,16-19)
	Working as auto mechanics, in carpentry, and in craft workshops (10)
	Working on construction sites and building roads (10)
Services	Domestic work (10-14)
	Driving motorcycle taxis (12)
	Street work, including vending, garbage scavenging, and carrying heavy loads (10,12-14)
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 (3-5,13,14,20)
	Forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking (3,4,10,18,21-24)
	Use in illicit activities for non-state armed groups, including carrying stolen goods, and smuggling minerals (20,21,25,26)
	Forced recruitment or abduction 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 (14,20,27)

† 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 DRC's eastern provinces were particularly vulnerable to recruitment by non-state armed groups, forced labor in artisanal mining, and forced prostitution. (28-30) UNICEF and other international organizations estimate that between 40 and 70 percent of non-state armed groups in central DRC include children, some as young as age 5. (26,31) By the end of the reporting period, the government and international partners had secured commitments from 35 armed groups to end the recruitment and use of children and other grave violations. (27,32) However, some of the 150 non-state armed groups, criminal gangs, and illicit smuggling networks operating in the DRC continued to abduct, recruit, or use children in armed conflict during the reporting period. (3,27,33) Major non-state armed groups included Nyatura, Mai-Mai Mazembe, the Allied Democratic Forces (ADF), *Nduma Défense du Congo-Rénové-Guidon* (NDC-R Guidon), Kamuina Nsapu, *Forces démocratiques de libération du Rwanda-Forces combattantes abacunguzi* (FDLR), *Raia Mutomboki*, *Conseil national pour la renaissance et la démocratie*, *Alliance des patriotes pour un Congo libre et souverain*, *Union des révolutionnaires pour la défense du peuple Congolais* (URDPC/CODECO) and the *Armée de libération du Congo* (ALC/CODECO). (27,28,34) Armed groups that surrendered to the Armed Forces of the Democratic Republic of the Congo (FARDC) submitted to Disarmament, Demobilization, and Reintegration (DDR) programs that separated children from their ranks. A DDR ordinance is imminent but did not pass during the reporting period. (35) In the absence of a coherent national DDR strategy, some factions continued to recruit children. (14,36)

Armed groups subjected children to forced labor in artisanal mines in Ituri, North Kivu, South Kivu, and Maniema, where forced labor, conflict, and mining are often intertwined. (14,37,38) Non-state armed groups in Ituri reportedly seized young children from their homes, forcing them to transport heavy loads or perform domestic work. (13) In eastern Congo's conflict-affected regions, children extract and transport tin (cassiterite), tantalum (coltan), tungsten (wolframite), diamonds, and gold. Thousands of children also work in cobalt and copper mines in the DRC's southern Copperbelt region. (39-41) Prevalence is highest in the country's artisanal and small-scale mining (ASM) sector, which operates with minimal oversight. Child labor has been detected at one in four ASM

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sites in the DRC, with informal or illegal ASM operations leaving children uniquely exposed to hazardous working conditions and, in some instances, to forced labor. (29,40,42) As many as 35,000 of the DRC's 255,000 artisanal cobalt miners are children. (43)

During the reporting period, international border closures caused by the COVID-19 pandemic led to an uptick in cross-border smuggling of untagged gold, tantalum, and tin from North and South Kivu into Rwanda and Burundi. (28) Lockdowns also prevented mining authorities from accessing artisanal gold-mining sites. (28) Criminal trafficking networks targeted girls in Kinshasa, some of whom were forcibly trafficked into commercial sexual exploitation and forced domestic labor in Lebanon. Children in the Kasai region were also trafficked into forced begging schemes that brought them to Kinshasa. (14,37,44) Despite strong evidence that children are subjected to participation in armed conflict, commercial sexual exploitation, and forced labor in mining, the prevalence and nature of child labor in other sectors remains unclear because a comprehensive, stand-alone child labor survey has never been conducted in the DRC. (14)

Tens of thousands of civilians have been displaced in eastern Congo's Ituri Province because of conflict, making thousands of children vulnerable to sex trafficking, forced labor, or commercial sexual exploitation. In Tanganyika and Ituri, flooding and interethnic conflict destroyed 700 schools, leaving 500,000 children out of school. In addition, non-state armed groups attacked more than 60 schools in the DRC between January and October 2020, while the FARDC targeted one school. Attacks against schools in 2020 left 45,000 children without access to the classroom. (27,37,45)




UNICEF estimates that only 25 percent of children under age 5 have birth certificates. (46) Low rates of birth registration leave many children vulnerable to child labor because it makes age verification difficult during FARDC recruitment campaigns and hinders efforts to identify and separate children associated with armed groups. (4,47) While Congolese law provides for free, compulsory education, only slightly more than half of the DRC's 51,574 public schools were financed by the state. At public schools that did not receive government funding, parents were asked to pay school fees, which were often prohibitively high, to support teacher salaries. (48,49) In 2019, President Felix Tshisekedi implemented a free primary education initiative to expand funding for public schools, and in 2020, new teachers were hired and plans approved for school construction. (13,50-52) Nevertheless, significant obstacles remain. Nationwide school closures to contain the pandemic led to an increase in working children, particularly in mines. (52,53) Non-state armed groups attacked 52 schools between January and July 2020, while the FARDC targeted one school. (27,36,45,54)

Schools remained overcrowded, understaffed, and geographically dispersed, requiring students to travel long distances. Many have been structurally damaged by conflicts or used as shelters for IDPs. (1,2,24,26,47,55)

## 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	✓

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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 (56-58)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Decree Establishing the Conditions for Children's Work (59)
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 of the Mining Code; Article 8b of the Decree on Validation Procedures for Artisanal Mines; Article 125 of the Labor Code (57,59-62)
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 (57-59,63)
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 (56-58,61)
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 (56-59)
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 (57-59)
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 (57,64)
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 (57,64,65)
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 (57,63)
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 (57,63,66)
Free Public Education	Yes		Article 38 of the Child Protection Code; Article 43 of the Constitution; Articles 12 and 72 of the Law on National Education (57,63,67)

\* No conscription (15)

‡ Age calculated based on available information (57,67,68)

In 2019, the Agency for Prevention and the Fight Against Trafficking in Persons (APLTP) drafted and submitted to the National Assembly an aggressive national anti-trafficking law. However, due to the pandemic, the law's scheduled adoption in the 2020 legislative session was postponed. (14,50) The DRC also expanded oversight of, and control over, its artisanal mining sector in which child labor is prevalent, including in copper- and cobalt-rich areas. (50,69)

Children in the DRC are required to attend school only up to age 12. This standard means children ages 12 through 15 are vulnerable to child labor as they are not required to attend school, but are also not legally permitted to work. (57,63,66) Moreover, some implementing decrees for the Child Protection Code have not been adopted. (57,70) Without these decrees, multiple provisions, including the provision on light work, cannot be enforced.



## 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 enforcement agencies that may hinder adequate 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. (72) Refers cases of child labor to the Ministry of Justice (MOJ) for prosecution. (12)
Ministry of Mines	Includes the Service for Assistance and Supervision of Artisanal and Small-Scale Mining, the government agency responsible for artisanal and small-scale mining (ASM) regulation and training, and the Division of Mines, which oversees mining-related departments and public services, including large-scale mining, at the provincial level. (73-75)
Ministry of Justice (MOJ)	Enforces criminal laws related to child labor. (12) Oversees five juvenile courts in Kinshasa and 19 UNICEF-funded child protection courts throughout the country. (13) Assists the International Criminal Court in conducting investigations and prosecuting individuals charged with using children in armed conflict. (12,33,47)
Ministry of the Interior (MOI)	Investigates allegations of human trafficking rings, refers child labor cases to the MOJ for prosecution, and coordinates support and reintegration services with the Ministry of Social Affairs, Solidarity, and Humanitarian Action. (12,33) Includes the Special Police Unit for Women and Children, which 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. (12,13) The Congolese National Police (PNC) Child Protection and Sexual Violence Directorate has a formal mechanism in place with local NGOs to screen for possible human trafficking victims among vulnerable groups. (44) The Mining and Hydrocarbon Police are charged with enforcing the mining code, including prohibitions against child labor, at artisanal and large scale mining sites. (75,76)
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. (72,77) Compiles data on prosecutions in military and civil courts involving sexual violence against girls and maintains a hotline for reporting cases. (33)
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. (12) Through its Children Associated with Armed Forces and Armed Groups Unit, coordinates demobilization, disarmament, and reintegration activities. (33,78)
Ministry of Gender and Family (MOGF)	Oversees and investigates cases related to the commercial sexual exploitation of children. (12)

The Ministry of Social Affairs, Solidarity, and Humanitarian Affairs monitors humanitarian programs and coordinates with key actors to promote social services to vulnerable groups, including street children, human trafficking victims, and child soldiers. (15) In April, as part of pandemic-related protection measures, Ministry of the Interior (MOI) officials held a training for Kinshasa police officers emphasizing collateral consequences of mandated quarantines, including acts that can be considered forms of trafficking in persons, such as sexual exploitation and the trafficking of children. (37)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in the DRC took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor, and Social Welfare (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	2019	2020
Labor Inspectorate Funding	Unknown (13)	Unknown (14)
Number of Labor Inspectors	200 (13)	172 (14)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (58)

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

Overview of Labor Law Enforcement	2019	2020
Initial Training for New Labor Inspectors	No (13)	Unknown (14)
Training on New Laws Related to Child Labor	No (13)	Unknown (14)
Refresher Courses Provided	No (13)	No (14)
Number of Labor Inspections Conducted	0 (13)	175 (14)
Number Conducted at Worksite	0 (13)	175 (14)
Number of Child Labor Violations Found	0 (13)	Unknown (14)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (13)	Unknown (14)
Number of Child Labor Penalties Imposed that Were Collected	0 (13)	Unknown (14)
Routine Inspections Conducted	No (13)	Yes (14)
Routine Inspections Targeted	N/A (13)	Yes (14)
Unannounced Inspections Permitted	Yes (58)	Yes (58)
Unannounced Inspections Conducted	No (13)	Yes (14)
Complaint Mechanism Exists	Yes (13)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	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. (79,80) Moreover, as the government did not directly fund the Central Labor Inspectorate in 2020, MOL relied on provincial labor inspectorates, the mining police, industrial mining companies, and NGOs to conduct inspections and defray the costs. (14) Regional labor inspectorates rely on fees collected from violators to sustain their operations. (14) Despite these challenges, provincial authorities conducted inspections in the formal mining sector in the Katanga region, including in Haut Katanga, Tanganyika, and Lualaba, where child labor is known to occur. (14) Approximately 80 percent of the DRC's labor force is engaged in the informal sector, including subsistence agriculture, which is also the DRC's largest rural employer. (81,82) To support labor inspections in the agricultural sector, the government task force on the Africa Growth and Opportunity Act, in conjunction with MOL, published a roadmap to address child labor in the DRC's agricultural sector. The government also made a commitment to survey child labor prevalence in the rice sector in Kongo-Central Province in 2021. (14,83)

Labor inspectors did not receive child labor law enforcement training in 2020. (14) Mines are inspected by mining and hydrocarbon police, NGOs, industrial mining companies, armed forces, and two specialized divisions within the Minister of Mines. Conflict mineral sites subject to international due diligence requirements are validated as child labor- and conflict-free by local monitoring committees, or CLS. (84) The CLS include territorial administrators, state mining services, state security forces, traditional authorities, and mining operators. (84) With support from the U.S. Department of State, IOM trained 250 mining police in North and South Kivu on inspection and validation techniques. Topics included child labor detection, hazards assessment, and additional compliance measures. (14) Under a USAID program aimed at boosting gender equity in artisanal mining, 20 female mine inspectors were also trained and inducted in South Kivu. Trainers used specific modules designed from the Voluntary Principles for the Security of Human Rights, with a specific focus on child protection in mining areas. (14) In addition, the Congolese National Police (PNC) worked with NGOs to protect children in artisanal gold mining sites in North and South Kivu. At the Omape artisanal mining site near Walikale, PNC, in collaboration with the NGO Caritas, conducted night patrols to check for the presence of children working in the mines at night. (14,37) In 2020, the NGO PACT identified and extricated 18 children working in artisanal mines in the east. (14,37) Separately, the APLTP discovered 100 children working in an artisanal gold mine in South Kivu, and they were also removed. The provincial labor inspectorate in South Kivu was actively investigating the case at the close of the reporting period. (14)

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## Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	No (13)	No (14)
Training on New Laws Related to the Worst Forms of Child Labor	No (13)	No (14)
Refresher Courses Provided	No (13)	No (14)
Number of Investigations	Unknown (13)	Unknown (14)
Number of Violations Found	3,129 (50)	Unknown
Number of Prosecutions Initiated	3 (13,50)	13 (14)
Number of Convictions	4 (13)	1 (14)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (13,85)	Yes (14)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (14)

In August 2020, the National Commissioner of the Congolese National Police adopted a set of regulations, approved through inter-ministerial consensus, that defines for the first time the function and duties of the Mining Police, including the protection and enforcement of human rights in mining areas. In specific cases of human rights abuses, including the worst forms of child labor, the guidelines instruct the mining police to arrest suspects, preserve evidence, and exercise the authorities of the child protection unit in cases in which the specialized services are absent. (14)

Unlike previous years, in 2020, military courts identified and began prosecuting multiple army officers for cases of child trafficking, child soldier recruitment, and sexual slavery. In June 2020, two FARDC soldiers from the 2105th regiment, accused of kidnapping underage girls for sexual enslavement, stood trial before a military tribunal in Kasai. (14,44) The military prosecutor's office in Tshikapa also uncovered a child trafficking ring run by a FARDC captain and a civilian woman. The captain was arrested and was awaiting trial at the end of the reporting period. (14,44) Military prosecutors planned to request a sentence of 5 years for both the FARDC officer and the civilian. (14,44) In September, military prosecutors in Goma also opened a case against ex-warlord and prolific child soldier recruiter Bahati Kibira Kapasi, leader of the armed group Union of Patriots for the Defense of Congo. The following month, the government secured a landmark conviction against Ntabo Ntaberi Sheka, who was sentenced to life imprisonment for war crimes, including child soldier recruitment. (14,37,86) Sheka, who commanded the *Nduma Défense du Congo* (NDC) until 2015, created a command-and-control structure based on child soldier recruitment. Jean-Claude "Kamutoto" Lukambo, a co-defendant and former child soldier who rose to command the NDC's child soldier recruitment and training division, was sentenced to 15 years' imprisonment. (14,37,86) The conviction also identified recently ousted NDC-R head Congolese "General" Shimiray Mwiswa Guidon, who split from Sheka's NDC in 2015, as complicit in Sheka's crimes; however, Guidon remains at large. Prosecutors also indicted members of the Bana Mura for child sexual enslavement in the Kasai region. (14,37,86,87)

In January 2020, police in Lubumbashi arrested 3 men accused of running a child trafficking ring; 22 child victims were freed during the arrest. (50) Research was unable to verify if the men were prosecuted or to confirm the case's disposition by the end of the reporting period. (14,44) The APLTP also investigated cases of child trafficking, commercial sexual exploitation, and child abuse, and initiated 13 prosecutions for trafficking in persons and commercial sexual exploitation during the reporting period. These included three cases of child recruitment, one case of forced child labor, and seven cases of commercial sexual exploitation. (14,37) In addition, DRC and Republic of the Congo authorities disrupted a cross-border child trafficking ring, and MOI officials opened an investigation into a child trafficking network between the DRC and Zambia. (14,37) Research indicates that 58,305 children, including victims of criminal labor exploitation, were processed through the DRC's 21 Children's

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Tribunals in 2020. However, the closure of civilian criminal courts in March, following national lockdowns due to COVID-19, resulted in an overall reduction in the volume of criminal hearings. (14,44) Similarly, police and prosecutorial investigations declined significantly. Lockdowns prevented actors from conducting necessary field travel, greatly reducing the number of victims identified. (44) Moreover, poor coordination in conducting investigations, collecting data, and providing services to victims continued to hinder the government's ability to adequately combat the worst forms of child labor. (3,33) Research indicates that both the military and civilian justice systems lack the capacity and resources to investigate and prosecute child labor violations. (4,22,72)

In 2020, the FARDC made progress compared with prior years in preventing child recruitment within state security forces following an August decree by the Minister of Defense reiterating zero tolerance for child recruitment. (14) There were three cases of the FARDC using children in non-combat capacities in 2020, all of whom, according to the UN Organization Stabilization Mission in the Democratic Republic of the Congo's (MONUSCO) Child Protection Services, were demobilized. (14) The FARDC also separated 2,101 children from armed groups during the reporting period and referred them to UNICEF-run transition centers, which provided them with medical and psychosocial support and livelihood training. (14)

Until July 2020, FARDC elements in North Kivu collaborated with UN- and U.S.-sanctioned Congolese "General" Shimiray Mwissa Guidon's NDC-R, an armed group and occasional proxy for the FARDC that recruits children, sometimes forcibly, into its ranks. (30,87-91) Congolese forces, including senior FARDC commander General Innocent Gahizi, allowed the group to move freely throughout the province and tolerated NDC-R's use of FARDC uniforms. Colonel Yves Kijenge, FARDC commander of the 341<sup>st</sup> Regiment, also supplied the group with weapons and ammunition. (50,88,90) Under this arrangement, which allowed the NDC-R to establish illegal taxation schemes and control of lucrative gold mining sites, the group emerged as the dominant non-state group in the Masisi and Walikale regions of the eastern DRC. (50,81,88-90) In June 2019, military prosecutors in North Kivu issued an arrest warrant for Guidon for child recruitment, mass rape, and other crimes committed between 2015 and 2020 as leader of the NDC-R. (50,89,90) They further allege that sanctioned high-ranking FARDC commanders protected Guidon during this period, although these officers have not yet been charged. In July 2020 Guidon was deposed by Gilbert Chuo Bwira, his second-in-command, with FARDC support. (28,92) In August 2020, 584 combatants under Bwira's command, including 29 children, surrendered to the FARDC. The children were removed by MONUSCO's child protection unit and taken to the UNICEF-funded community demobilization center in Goma. (93-95)

Despite efforts to prevent child recruitment by state security forces, children whom the FARDC separated from armed groups were occasionally detained for 2 to 14 days. In 2020, 85 children were detained following separation from armed groups, 78 of whom were released shortly thereafter. However, 7 children were held in detention for periods ranging from 2 to 9 months. (14,44) When children are detained, official procedure requires the government to alert MONUSCO, to whom the children are handed over. Prior to that handover, children may be held in local detention cells, which suffer from overcrowding, lack of food and health services, and poor sanitation. (14,44)

The FARDC, mining police, and private security forces, including those guarding large-scale mining concessions, reportedly subject child laborers on ASM sites to extortion and physical abuse. (96) There is no evidence the government took action to address these abuses. Moreover, some FARDC elements collected illegal fees from traders to transport gold in FARDC trucks on routine operations between Misisi and Bukavu. (28) Members of the 130<sup>th</sup> Regiment of the FARDC illegally owned and taxed artisanal gold mines in Mongbwalu, Ituri Province. The pandemic lockdown exacerbated these trends. Research indicates that members of the FARDC's 3407<sup>th</sup> Regiment facilitated the transport of gold on behalf of non-state armed group Mai-Mai Yakutumba. (28)

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 of up to \$123 (200,000 Congolese Francs). (13,20,22,56,57,59,70,71)

## 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. (97,98) Led by MOL and includes representatives from 12 other ministries, local NGOs, and civil society. (12,97,98) In 2020, the DRC's Minister of Mines joined the Cobalt Action Partnership (CAP), a public-private initiative that promotes due diligence in the cobalt supply chain. The CAP's objectives include the formalization of ASM operations and eradication of child labor in cobalt mining. (99)
Regulatory and Control Authority for Strategic Minerals ( <i>Autorité de Régulation et de Contrôle des Marchés des Substances Minérales Stratégique</i> ) (ARECOMS)	Created under a 2019 mining decree, ARECOMS is a new regulatory agency that will oversee supply chains of "strategic minerals" such as cobalt and coltan to ensure children, pregnant women, and other vulnerable populations are not working in mining sites. (37,69) A separate body, <i>Entreprise Générale du Cobalt</i> (EGC), is a subsidiary of the state-owned mining company Gécamines, which has exclusive authority to buy and sell artisanally mined cobalt. (69) The EGC aims to ensure price stability and fairness by removing unregulated middlemen from the supply chain, thereby decreasing the potential for child labor. (50,69,100)
Child Soldier Monitoring, Verification, Demobilization, Reintegration Mechanisms	Includes the Disarmament, Demobilization, and Reintegration Commission (UEPN-DDR), which coordinates verification and release of children associated with armed groups. Working with the MOGF, the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), UNICEF, and NGOs, refers demobilized child soldiers to social service providers for family reunification and reinsertion. (12,33,78) The commission is led by MOD's Children Associated with Armed Forces and Armed Groups unit. (33,78) In addition, the Country Task Forces on Monitoring and Reporting, which is co-chaired by the UN, documents all grave violations committed against children. With UN support, the Centers for Transit and Orientation in North Kivu Province provided psychological counseling, basic education, and job skills training to ex-child soldiers during the reporting period. In 2020, the centers supported and helped reintegrate 2,210 children who were formerly associated with armed groups. (14,44) In October 2020, the commander of the Mai-Mai Apana Pale-Makilo faction signed a unilateral declaration to end and prevent the recruitment and use of and prevent sexual violence against children. The commander of the Mai-Mai Ilunga also signed a roadmap to end child recruitment in December 2020. (54) As of November 2020, 35 armed group commanders had committed to releasing children recruited into their ranks. (32,50)
Joint Technical Working Group	Coordinates the implementation of the UN 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. (3,5,101) In addition, organizes training on child soldier screening, monitoring, verification, and demobilization processes, and participates in advocacy events. (3,27,102) Throughout the reporting period, the working group conducted 14 trainings on age verification procedures and enforcement of the UN Secretary-General's principles on Children in Armed Conflict. (14,44)
Inter-Ministerial Commission Responsible for Addressing the Issue of Child Labor in Mines and on Mine Sites in the DRC	Coordinates efforts to eradicate child labor in the DRC's mining sector and serves as an adviser to other ministries combating child labor in mining. The Ministry of Mines organized a meeting in November 2020 for international missions and donors on combating child labor in artisanal mining in Kolwezi, the capital of the copper- and cobalt-rich Lualaba Province, which resulted in the Kolwezi Declaration. The Kolwezi Declaration is a new partnership between the Ministry of Mines and international partners ("Technical and Financial Partners") that calls for "responsible and ethical artisanal mining free of child labor." (14) The Declaration also reinforces the commitments outlined in the Operational Plan of the National Sector Strategy to Fight Against Child Labor in Mining (2017–2025). (14)
Agency for Prevention and the Fight Against Trafficking in Persons (APLTP)	Investigates, prosecutes, and sentences traffickers, including government officials complicit in human trafficking. Advocates on behalf of victims of trafficking. (50) Embedded in the Office of the Presidency, replaces a previous trafficking in persons working group. Includes government officials from PNC and FARDC, local NGOs, and international organizations that formulate, coordinate, monitor, and evaluate government efforts to combat human trafficking. (50) In 2020, the APLTP worked with civil society organizations to identify and report 100 children working in artisanal gold-mining sites in South Kivu. (14) The government also funded the APLTP's national awareness-raising campaign, with assistance from international donors. (14) Despite the pandemic, the APLTP-led inter-agency trafficking in persons committee met 50 times and held 5 technical working group meetings. This schedule enabled the APLTP to achieve notable success on human trafficking issues, including multiple arrests and convictions. (14,37,44) During the year, the APLTP also developed reference cards for use by law enforcement and intelligence officials and civil society organizations, to facilitate identification of victims and appropriate sharing of case data. In addition, the APLTP distributed standardized identification forms for care providers to input data on human trafficking victims. (14,44)



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The creation of APLTP in April 2019 addressed a long-standing need to increase coordination among various anti-human trafficking actors within the government. (50) Nevertheless, overlapping objectives and duplication of efforts, combined with a lack of resources and trained personnel, may have impeded the government's ability to coordinate actions to combat the worst forms of child labor. (24,33) In addition, the Disarmament, Demobilization, and Reintegration Commission is supposed to take the lead on child soldier issues; however, research indicates that, in practice, that role has often been assumed by the Country Task Forces on Monitoring and Reporting. (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 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 (2012–2025)	Developed by NCCL in consultation with UNICEF to eliminate the worst forms of child labor in the DRC by the end of 2025. (10,103) Promotes the enforcement of laws prohibiting the worst forms of child labor; universal primary education; monitoring and evaluation efforts; and improved coordination of stakeholders. Also seeks to raise awareness of the worst forms of child labor, empower communities to stop child labor practices, and provide prevention and reintegration services. (10,103) In September 2020, the DRC's First Lady, Denise Nyakeru Tshisekedi, in collaboration with World Vision, hosted an advocacy workshop to combat child labor. Two recommendations came out of this gathering: to reinforce inspections and to support the extension of the National Action Plan to Combat the Worst Forms of Child Labor from 2020 to 2025. (14)
Child Soldiers Action Plans	The DRC has several key policies to address children in armed conflict. The UEPN-DDR's National Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDR III) plan aims to provide rehabilitation and reintegration services to demobilized combatants, including children. (3,104,105) DDR III is implemented with UN and international support and within the 2013 Framework Agreement for Peace, Security, and Cooperation for the DRC and the Great Lakes Region. (104,106,107) Requires children separated from armed groups to be immediately transferred to UNICEF. (33) The Action Plan to End the Recruitment and Use of Child Soldiers (Child Soldiers Action Plan) is a 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. (108,109) Includes standard operating procedures for age verification to help the FARDC avoid underage recruitment. (2,3,5) MOD worked with MONUSCO and UNICEF to identify and remove child recruits from the FARDC and non-state armed groups. (94) In December 2020, MONUSCO's Child Protection Section organized a training workshop for the FARDC's 34th military region. The training was carried out in conjunction with the Joint Technical Working Group on Children and Armed Conflict, PNC, the National Intelligence Agency, and the General Directorate of Migration. MOD also provided training on age verification and child protection to the FARDC and police in 2020. (14) Throughout the year, a joint UN and DRC government technical working group on preventing child soldiers held 14 trainings on age verification procedures and the Children in Armed Conflict mandate. (14) A total of 1,543 FARDC and PNC officers attended these workshops. Moreover, the DRC's police and military continued to use a written standard operating procedure on age verification to avoid child recruitment, resulting in the screening of 2,489 recruits and the identification and removal prior to training of 53 children. (14)
Action Plans to Address Child Labor in Mining	Includes the National Sectoral Strategy to Combat Child Labor in Artisanal Mines and Artisanal Mining Sites (2017–2025), developed by the Ministry of Mines. Seeks to eradicate child labor in artisanal mining by 2025. The strategy aims to strengthen relevant laws, improve data collection on the prevalence of child labor in the mining sector, promote responsible sourcing regulations, improve child protection measures, and build stakeholder capacity to address these issues. (110) During the reporting period, the Ministry of Mines organized a workshop to operationalize this strategy. (13,50) In addition, the government allocated \$10.8 million (19 billion Congolese Francs) to the ministry to reduce child labor in the mining sector. (13) More broadly, the Inter-Ministerial Commission's Triennial Action Plan (2017–2020) aspired 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. (111) Research was unable to determine whether the plan was renewed during the reporting period. The government is also cooperating with the Public-Private Alliance for Responsible Minerals Trade to end child labor in the cobalt sector. (50) In 2020, the National Minister of Mines hosted an international partners' and donors' workshop in Kolwezi, the capital of Lualaba Province and one of the country's two centers for copper and cobalt production. (14) This conference led to the development of a new strategy to mitigate child labor in the mining sector. A follow-up meeting is scheduled for late 2021 to reevaluate the government's progress on this front. (14) Mining police in Walikale and Rubaya also worked with the human rights NGO Association for the Development for Rural Initiatives to conduct community awareness-raising sessions on child labor with the aim of encouraging families to bring children sent to mines back home. (14)

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

Policy	Description
APLTP's National Action Plan (2020–2024)†	Addresses all forms of trafficking in persons, including foreign-born and domestic victims and child soldiers. (50) Aims to prevent human trafficking through national awareness-raising and government training programs; victim identification and care; and law enforcement cooperation and coordination. (50) The 5 year National Strategy and accompanying 2020–2024 anti-trafficking National Action Plan are the first such guidance documents in the DRC's history. (50) In 2020, APLTP produced an unofficial report on trafficking in persons that documented incidents involving children. (14) APLTP will further benefit from a \$3 million USAID-funded 2020–2023 counter-trafficking program. (14) The government launched a trafficking in persons awareness-raising campaign in November 2020. The campaign included community radio messaging in multiple languages, the production of public-awareness campaign films, the creation of a free trafficking in persons resource library to be hosted on the websites of the offices of the Presidency and the MOJ, and a national hotline for reporting human trafficking cases. (14) In addition, the APLTP developed new screening procedures to identify trafficking victims. (14)
National Action Plan Against Sexual Violence in Conflict	Supports UN Resolution 1325 on women, peace, and security, which aims to prevent the recruitment of children, particularly girls, into armed groups; to provide social services upon their release; and to ensure perpetrators are prosecuted. (112,113) Research was unable to determine whether activities were undertaken to implement this policy 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. (21,22,114,115)

Although the DRC has developed a number of action plans to combat child labor, only some received dedicated funding. (19,23,33,40)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 in all relevant sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Programs to Support Vulnerable Children†	Aim to improve child protection with the support of donors and the government. 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 to 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 to reunify children formerly associated with armed groups with their families. (3,12,33,116) The government-run Center for the Transit and Orientation of Young Children in North Kivu Province also provides psychological counseling, basic education, and job skills training to ex-child soldiers. During the reporting period, the center supervised and helped reintegrate 400 children who had left armed groups. (50)
UNICEF-Funded Programs	Under the auspices of the government's Free Primary Education Program, and with support from UNICEF and Global Partnership for Education, the Ministry of Primary, Secondary and Technical Education reached 9,013,021 children and adolescents in 21 provinces with at least one form of distance education, including 91 radio stations and 7 television channels. (14,117,118) Since the beginning of the pandemic, UNICEF distributed 135,619 workbooks in 12 provinces, and provided 6,788 solar-powered radios to children in vulnerable households in 19 provinces to allow them to follow distance-learning classes. (117-119) Despite the school closures, more than 7 million Congolese children were able to continue learning through educational programs on the radio, workbooks, and other learning tools. Nearly 450,000 exercise books have been distributed, including to those living in remote areas of the country. (117-119) The government estimates that 4.5 million additional children were enrolled in primary schools through the program. (14)
USAID-Funded Projects*	The USAID-PACT Sustainable Mine Site Validation (SMSV, 2020-2024) is a four-year cooperative agreement that will implement a technically and financially sustainable Mine Site Qualification and Validation model in North and South Kivu that adheres to the Organization for Economic Co-operation and Development's Due Diligence Guidance for Responsible Supply Chains of Minerals; the International Conference on the Great Lakes Region; Regional Certification Mechanism; and DRC law. (120) The SMSV also aims to develop strategies to fight child labor, including by raising awareness of child labor issues among local stakeholders, and by building the capacity of mining inspectors and local stakeholder committees (CLS) to qualify and validate mine sites. (120)

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

Program	Description
World Bank-Funded Projects†	Projects in support of reestablishing peace and stability. Includes 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 (2017–2021), a \$100 million project that aims to improve the quality of primary school education. (107,121,122) In June 2020, the World Bank also approved an \$800 million Emergency Equity and System Strengthening in Education Project† that aims to improve primary education systems in 10 of the DRC's most restive provinces. The program targets nine million children for re-enrollment once pandemic restrictions are lifted and aims to enroll an additional one million previously out-of-school children. (123-125) By December 2020, the Human Development Systems Project had issued 600,000 birth certificates to children under age 5. (126)
USDOL-Funded Projects	Includes <u>Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor</u> , a \$20 million 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. Along with IOM and the Walk Free Foundation, the MAP 16 project conducted research on forced labor, including forced child labor, in conflict zones in the DRC in 2018. The research is due to be published in 2021. (127) Also includes <u>Combating Child Labor in the Democratic Republic of the Congo's Cobalt Industry (2018–2021) (COTECCO)</u> , a \$3.5 million project implemented by the ILO in Kolwezi, Lualaba Province, aimed at reducing child labor and improving working conditions in the mining sector. (128,129) During the reporting period, the provincial ministers of mines attended workshops funded by COTECCO in the provinces of Tanganyika, Haut Katanga, and Lualaba. The Mining Chamber of the Federation of Congolese Enterprises also participated in these workshops. (13,14,128) Additional information is available on the USDOL <a href="#">website</a> .

\* 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. (130,131)

During the reporting period, the Ministry of Defense worked closely with the UN to identify and remove child recruits from the FARDC. (50) However, the scope of child DDR programs remains insufficient. The reintegration process is slow, funding is inadequate, and collaboration between partners is weak. (3,22,47,132,133) Children separated from armed groups remain vulnerable to stigmatization and re-recruitment. Girls, who make up an estimated 30 to 40 percent of children associated with armed groups, often survive prolonged sexual and physical abuse in captivity and face social exclusion upon their return. Because this cycle of rejection increases their risk of re-recruitment, girls should be specifically targeted in the DDR process. (5,47,132-135) Research also indicates that the government needs to strengthen its efforts to assist street children and to implement programs specifically designed to assist children engaged in forced labor in agriculture, domestic work, and commercial sexual exploitation. (4,22,23,47)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish by law a compulsory education age that aligns with the minimum age for employment.	2013 – 2020
Enforcement	Issue appropriate decrees to ensure that enacted laws are implemented, including those related to light work provisions.	2009 – 2020
	Increase penalties for the worst forms of child labor so that they are sufficiently stringent to serve as a deterrent.	2013 – 2020
	Collect and publish complete data on labor enforcement efforts, including labor inspectorate funding, whether initial training and training on new laws were provided and the number of violations found, penalties imposed, and fines collected.	2020
	Fully fund civil and criminal enforcement agencies responsible for conducting inspections or investigations, and ensure that labor inspectors are able to conduct worksite inspections throughout the country.	2015 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors and criminal law enforcement agencies receive adequate training and funding to carry out their duties, including refresher courses as appropriate.	2011 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Collect and publish complete data related to criminal law enforcement efforts, including the number of investigations conducted and violations found related to the worst forms of child labor.	2009 – 2020
	Hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2017 – 2020
	Ensure that both the military and civilian criminal justice systems have the resources to investigate and prosecute child labor violations, and that judges, prosecutors, and investigators receive training on new and existing laws on the worst forms of child labor.	2011 – 2020
	Improve coordination among relevant criminal enforcement agencies in conducting investigations, collecting data, and providing services to victims.	2017 – 2020
	Cease the practice of subjecting children to physical violence and detention for their alleged association with armed groups.	2015 – 2020
	Ensure that security forces do not subject children to human rights violations, including extortion and physical abuse, in artisanal small-scale mining operations.	2019 – 2020
Coordination	Improve coordination among relevant ministries and agencies 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 – 2020
	Ensure that the Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement Commission is able to coordinate the implementation of DDR III as intended.	2015 – 2020
Government Policies	Ensure all relevant policies, national action plans, and sectoral strategies to address the worst forms of child labor are adopted, funded, and implemented as intended.	2011 – 2020
Social Programs	Conduct a stand-alone child labor survey to better inform child labor policies and practices.	2013 – 2020
	Improve access to education by ensuring that all children are registered at birth or are issued identification documents.	2012 – 2020
	Improve access to education for all children by regulating classroom size, training additional teachers, subsidizing fees, and building additional schools. Take steps to ensure student safety while at school and while students are in transit both to and from school facilities. Make additional efforts to prevent schools from being attacked and occupied by armed groups.	2012 – 2020
	Expand efforts to address the needs of demobilized children and incorporate stigmatization, gender, and re-recruitment concerns into programs to reintegrate such children.	2009 – 2020
	Establish or expand social programs designed to assist children engaged in forced labor in agriculture, street work, domestic work, and commercial sexual exploitation, and implement existing programs as intended.	2009 – 2020

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In 2020, the Republic of the Congo made moderate advancement in efforts to eliminate the worst forms of child labor. The government carried out prosecutions and achieved convictions of seven child traffickers and enacted standalone human trafficking legislation that defines the crime and provides for more stringent sentences. It also concluded a verbal agreement with the Democratic Republic of the Congo that prevents minors from entering the neighboring country without their parents or parental consent to help stop child trafficking between the two countries. However, children in the Republic of the Congo are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. The government has yet to accede to the Palermo Protocol on Trafficking in Persons and existing programs are not sufficient to address the scope of child labor in all relevant sectors. In addition, information on children's work is extremely limited, as there has never been a national child labor survey or similar research conducted in the country.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Republic of the Congo (ROC) are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in the 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	25.4 (Unavailable)
Attending School (%)	5 to 14	92.9
Combining Work and School (%)	7 to 14	27.1
Primary Completion Rate (%)		71.6

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 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	Farming, including in the production of manioc, peanuts, corn, plantains, potatoes, and sugarcane (2,5)
	Fishing (2)
Industry	Working in stone quarries,† including breaking stones (2,3)
Services	Domestic work (2-5)
	Market vending and carrying heavy loads† (2-5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3-5,8)
	Forced labor in farming, including in the production of cocoa, and in domestic work and working in stone quarries, each sometimes as a result of human trafficking (1,2,5)
	Forced labor in market vending and working in bakeries (1,5)
	Forced labor of indigenous Baka, Aka, and Kola children in farming, including in the production of manioc, and in fishing, hunting, and domestic work (1,2,5,9)

† 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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In some rural areas, the majority ethnic Bantu population forces non-majority, indigenous children—such as from the Baka, Aka, and Kola groups—to perform agricultural work, including forced work, for low wages and under the threat of physical abuse. Within the ROC, internal child trafficking networks relocate children from rural areas to urban centers for forced labor in domestic work and market vending. (3,5) In urban environments, children from West Africa work in forced domestic servitude for West African families in the major cities of Pointe-Noire and Brazzaville. (4,5) A majority of foreign children subjected to forced domestic work or commercial sexual exploitation in the ROC originate from the Democratic Republic of the Congo (DRC), and other West African nations, including Benin. (1,3,5,9,10) However, information on children's work is limited because there has never been a national child labor survey or similar research conducted in the ROC. (2,11) During the reporting period, the ROC Government came to a verbal agreement with the DRC to prevent minors entering the ROC without their parents or parental consent, in order to help combat child trafficking; however, both sides agreed on the need to continue and formalize collaboration. The ROC Government also has a written agreement with the Beninese Government for the same purpose. (5,11)

The Constitution stipulates that education is free until age 16; in practice, however, some parents are required to pay for books, uniforms, and school fees, which may limit access to education for some children. (2,12,13) Prohibitive school fees, 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. (2,3,5,12,14) Indigenous children throughout the country may experience discrimination, linguistic barriers, prohibitive school fees, and long distances to travel to schools. (3,5,13,15,16) The government offered an expenses subsidy—"tuition waiver"—for indigenous children, a program that provides money to families for students to buy uniforms, supplies, and procure health insurance, but research indicated that schools provided this waiver inconsistently during the reporting period. (5,11) The implementation of six ministerial decrees aimed at protecting indigenous peoples' rights resulted in an increase in the number of indigenous children enrolled in the school system, with one decree guaranteeing the right to a birth certificate, and another the right to access primary schooling. (17)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The 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 the ROC's legal framework to adequately protect children from the worst forms of child labor, including the lack of a 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 (18,19)
Minimum Age for Hazardous Work	Yes	18	Article 68 of the Child Protection Code; Articles 4, 5, 8, and 9 of Order 2224 of 1953 (19,20)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 4, 5, 8, and 9 of Order 2224 of 1953 (20)
Prohibition of Forced Labor	Yes		Article 4 of the Labor Code; Articles 68 and 122 of the Child Protection Code; Article 33 of the Constitution (18,19,21)
Prohibition of Child Trafficking	Yes		Articles 2, 4, 5, and 6 of Law No. 22-2019 on Combating Trafficking in Persons (22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 60, 65–68, and 122 of the Child Protection Code; Articles 334 and 335 of the Penal Code (19,23)
Prohibition of Using Children in Illicit Activities	Yes		Articles 68–70 and 122 of the Child Protection Code (19)
Minimum Age for Voluntary State Military Recruitment	No		Article 49 of the Child Protection Code (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 49 of the Child Protection Code (19)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 49 and 111 of the Child Protection Code (19)
Compulsory Education Age	Yes	16	Article 29 of the Constitution; Articles 1 and 3 of the Education Law (21,24)
Free Public Education	Yes		Article 29 of the Constitution; Article 1 of the Education Law (21,24)

\* No conscription (25)

In 2019, the government enacted the country's first standalone human trafficking legislation, which entered into force in 2020, defines human trafficking crimes, and prescribes more stringent sentences for the most severe offenses. (5,11,17,29) National laws do not set a minimum age for voluntary recruitment into the armed forces. (16,19)

### 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 enforcement agencies 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	Enforces child labor laws. (13) Conducts initial inspections before referring cases to the Ministry of Justice and Human Rights (MOJ) for prosecution. (2)
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. (2) Leads child labor law enforcement efforts. (3)
Ministry of the Interior's National Police	Enforce criminal laws against the worst forms of child labor and conduct initial investigations into cases of forced labor, human trafficking, and the use of children in illicit activities. (2,3)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in the ROC took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Security (MOL) that may hinder adequate labor law enforcement, including the limited scope of inspections.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (4)	Unknown (5)
Number of Labor Inspectors	253 (4)	248 (5)
Inspectorate Authorized to Assess Penalties	Yes (18)	Yes (18)
Initial Training for New Labor Inspectors	No (4)	No (5)
Training on New Laws Related to Child Labor	No (4)	No (5)
Refresher Courses Provided	No (4)	No (5)
Number of Labor Inspections Conducted	Unknown (4)	Unknown (5)
Number Conducted at Worksite	Unknown (4)	Unknown (5)
Number of Child Labor Violations Found	Unknown (4)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (5)
Routine Inspections Conducted	Unknown (4)	Unknown
Routine Inspections Targeted	Unknown (4)	Unknown (5)
Unannounced Inspections Permitted	Unknown (18)	Yes (18)
Unannounced Inspections Conducted	Unknown (4)	Unknown (5)
Complaint Mechanism Exists	No (11)	No (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (11)	No (5)

Training opportunities for labor inspectors, particularly for lower-level staff, are very limited due to a lack of resources, including budget shortfalls, and a lack of Internet access. (9, 11) Although the government lacks a formal process for referring children found in situations of child labor to appropriate social services providers, individual labor inspectors may leverage personal connections with inter-ministerial counterparts to refer children found during inspections to social services. (3-5) The government did not provide comprehensive information about labor law enforcement operations, such as number of inspections, violations found, and penalties applied, for inclusion in this report. (5)

During the reporting period, labor inspections were suspended starting in May 2020 as a response to the COVID-19 pandemic, and were reinstated in March 2021. (5,26) In addition, inspectors do not have access to government vehicles and rely on the employers, whose businesses are being inspected, to provide transportation. (27)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in the 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 allocating human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (4)	Yes (11)
Training on New Laws Related to the Worst Forms of Child Labor	No (4)	Yes (11)
Refresher Courses Provided	No (4)	No (5)
Number of Investigations	Unknown (4)	Unknown (5)
Number of Violations Found	8 (4)	Unknown (5)
Number of Prosecutions Initiated	1 (4)	Unknown (5)
Number of Convictions	Unknown (4)	Unknown (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (4)	No (5)

Authorities successfully prosecuted and convicted seven adults for child trafficking for the purposes of forced child labor. (11) Authorities removed eight Beninese children, who had been trafficked into the ROC, from situations of exploitation and forced child labor. The children were ultimately repatriated to Benin. (5)

The government provides funding for prosecution, investigation, and convictions of suspected traffickers in the context of broader judicial and law enforcement programs. (4) In general, the MOJ and the Ministry of Social Affairs, Humanitarian Action and Solidarity (MSA) experienced difficulties in prosecuting offenders due to a weak judicial system, poor recordkeeping, 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. (1,9)

The MSA, MOL, MOJ, and the National Police work together to enforce criminal laws against child trafficking; however, their efforts are limited to Brazzaville and Pointe-Noire. In addition, the National Police sometimes require payments from NGOs and other stakeholders to assist in operations to rescue victims of child trafficking. (2,9) Research found that many police did not understand what constituted child labor, and that court and Ministry of Justice and Human Rights (MOJ) personnel did not fully understand or know how to handle child labor cases. (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 the lack of adequate resources.

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

Coordinating Body	Role & Description
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. (2,13) May conduct initial inspections before referring cases to MOJ for prosecution. (2) Through its Director General of Social Affairs, oversees government strategy to combat human trafficking. (9) 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. (2)
Anti-Trafficking Coordinating Committee for Pointe-Noire (MSA Task Force)	With UNICEF support, coordinates all efforts to combat trafficking of West African children in Pointe-Noire. Chaired by MSA with representatives from other government agencies and civil society organizations. (1,2,4) Seeks to prevent and prosecutes cases of human trafficking and provides support to victims through placement with foster families. (28) During the reporting period, the committee provided funding for foster homes for child trafficking victims. (1) The Committee was active during the reporting year, meeting four times. (11)
National Commission to Fight Against Trafficking in Persons	Coordinates government efforts on trafficking in persons and forced labor as a federal-level, inter-ministerial committee. (4) Article 34 of the 2019 Law on Combating Trafficking in Persons provides a dedicated line item for funding. (29) Met four times during the reporting year in Brazzaville and in Pointe-Noire to discuss child labor issues and steps the government is taking to address violations of Congolese law. (4,11)

The government has not provided the MSA Task Force with a specific operating budget since 2014, limiting the task force's activities due to lack of funds. In addition, a local NGO has indicated that it refers 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. (1,9) Furthermore, there is no coordinating body to oversee efforts to combat child labor at the national level. (2,28) 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. (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 the lack of a national child labor action plan.

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
Education Sector Strategy (2015–2025)	Developed as an update to the previous 2012–2020 strategy, focuses on the priorities of offering quality basic education for all, addressing the human resources needs for its developing economy, and creating mechanisms for the efficient management of an educational system. (30)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (9,10)

During the reporting period, the government came to a verbal bilateral agreement with the DRC that prevents minors from entering the ROC without the accompaniment of their parents. (5,11) 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. (30) Furthermore, research did not discover a national action plan that addresses trafficking in persons.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 (2014–2022)	World Bank-funded project that grants improved access to health and education services to poor families in Brazzaville, Cuvette, and Pointe-Noire. (11,32) Includes a cash transfer program for 127 households conditioned upon regular health visits and that all children maintained an 80 percent school attendance rate each month. (3,32) In response to the COVID-19 pandemic, the government reinforced its “Lisungi” social safety net program for approximately 200,000 households nationwide. Households received an additional \$85 from government COVID-19 Solidarity Fund. (5)
McGovern-Dole International Food for Education and Child Nutrition Program (2017–2022)	\$30 million United States Department of Agriculture-funded, 5-year project implemented by WFP in Bouenza, Cuvette, Lékoumou, Likouala, Plateaux, Pool, and Sangha. Aims to improve literacy of school-age 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. (33)
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 two or three-year preparatory program. (15) 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. The schools continued to operate during the reporting period, but sources indicate that they are funded primarily by international organizations. (11,34,35)

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

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. (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 the ROC (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.	2015 – 2020
	Ensure that the minimum age for voluntary state military recruitment is no lower than age 16.	2015 – 2020
Enforcement	Ensure that the government has a formal process for referring children to the appropriate social services when they are found in situations of child labor.	2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information related to labor and criminal 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, and convictions secured.	2014 – 2020
	Ensure that all criminal law enforcement personnel, including from the police forces, courts and the Ministry of Justice and Human Rights, are properly trained to know how to identify, recognize, prosecute, and handle worst forms of child labor cases.	2020
	Institutionalize training for all labor inspectors, investigators, and law enforcement officers, including offering periodic refresher courses.	2014 – 2020
	Strengthen the labor inspectorate by ensuring that inspectors have adequate resources to carry out their mandated inspection duties.	2015 – 2020
	Remove barriers to enforcement and prosecution by strengthening the judicial system through improved recordkeeping, decreased court backlogs, more frequent hearings, and improved training for criminal law enforcement officials and judges on trafficking in persons legislation.	2014 – 2020
	Expand criminal enforcement efforts beyond large cities.	2014 – 2020
	Ensure that criminal enforcement agencies such as the National Police are properly funded and do not seek payment from stakeholders to conduct investigations and operations.	2014 – 2020
Coordination	Ensure that coordinating bodies receive adequate resources to function as intended.	2014 – 2020
	Establish a coordinating mechanism to combat child labor, including its worst forms, at the national level.	2009 – 2020
	Ensure that Ministry of Social Affairs, Humanitarian Action and Solidarity funds are budgeted to combat human trafficking are regularly dispersed.	2019 – 2020
Government Policies	Adopt a plan that addresses all relevant forms of trafficking in persons.	2020
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2009 – 2020
	Adopt a policy that addresses all relevant forms of child labor and the worst forms of child labor.	2013 – 2020
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 – 2020
	Improve access to education for all children, including those 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 – 2020
	Fund and implement social programs to address the worst forms of child labor, including programs to expand access to free education, and to address child domestic work and commercial sexual exploitation.	2018 – 2020
	Ensure indigenous children do not experience discrimination or barriers to education.	2020
	Ensure that the "tuition waiver program" for indigenous children is consistently applied.	2020

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Although research found no evidence that child labor exists in the Cook Islands, in 2020 the government made moderate advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Cook Islands increased its labor inspectorate budget and, for the first time, published labor law enforcement data. In addition, the first Cook Islands Labor Force Survey was completed in November 2020, providing essential data for the government's efforts to bring its laws into line with international standards. Although the Cook Islands made meaningful efforts in all relevant areas during the reporting period, 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. Table I provides one key indicator on children's education in the Cook Islands. Data on key indicators on children's work are not available from the sources used in this report.

**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Primary Completion Rate (%)		120.2







Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (1)

The Government of the Cook Islands completed its first Labor Force Survey in November 2020. The survey was conducted by the Statistics Office of the Ministry of Finance and Economic Management and the Ministry of Internal Affairs' Labor and Consumer Services section, with the ILO providing additional technical and financial support. (2-4)

### 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. (5,6) 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. (5) The Cook Islands has ratified some key international conventions concerning child labor (Table I).

**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 2). 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.

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**Table 3. 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 (7)
Minimum Age for Hazardous Work	Yes	18	Article 73(2) of the Employment Relations Act (7)
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 (7,8)
Prohibition of Forced Labor	Yes		Article 3 of the Prohibition of Forced or Compulsory Labor Ordinance; Article 109I of the Crimes Amendment Act (9,10)
Prohibition of Child Trafficking	Yes		Article 109I of the Crimes Amendment Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 36–37 of the Government of New Zealand's Defence Act (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 23.1 of the Education Act (12)
Free Public Education	Yes		Article 22.2 of the Education Act (12)

\* No conscription (11)

† No standing military (13)

The Employment Relations Act prohibits children younger than age 13 from being employed. (7) The Act also prohibits a school-age 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. (7) However, the legal framework does not determine the sectors in which light work is permitted. (7) The Cook Islands does not criminalize the use of children in illicit activities, particularly in the production and trafficking of drugs. (10) New Zealand is responsible for the defense of the territory at the Cook Islands' request. (11,13) Education is free and compulsory for all child citizens and permanent residents of the Cook Islands at the primary and secondary levels. (12,14)

With the completion of the first Cook Islands Labor Force Survey in November 2020, essential data have been made available for utilization in the government's future efforts to bring its laws into line with international standards. (3,4)

### 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. However, the Government of the Cook Islands has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 3).

**Table 4. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Internal Affairs	Enforces labor laws through the Labor Division and provides child services. Lead agency for implementing the UN CRC. (5)
Cook Islands Police Service	Enforces child labor laws. (5)

Labor law enforcement on the Cook Islands lies with the Ministry of Internal Affairs' Labor Division's four labor inspectors. The Labor Division is responsible for monitoring labor protections and occupational safety and health. (5) The Cook Islands increased its labor inspectorate budget from \$163,232 in 2019 to \$228,500 in 2020. During the reporting period, the Labor Division conducted 55 inspections. (3)

#### 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, including its worst forms.

#### 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 5. Key Policies Related to Child Labor**

Policy	Description
Cook Islands National Youth Policy (2015–2020)	Identified priority areas for youth, including education and work opportunities, health, and youth risk and resilience. (15) Research was unable to determine whether activities were undertaken to implement the National Youth Policy during the reporting period. (14)
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 experiences in the legal system, and improves collaboration between the government, parents, and the community. (16) During the reporting period, the Government of the Cook Islands continued to support the National Policy Framework's efforts to protect children from harmful labor exploitation. (3)
United Nations Pacific Strategy (2018–2022)	A multi-national strategic framework program consisting of 14 South Pacific nations. Addresses, develops, and implements strategic economic development priorities in the South Pacific, including eliminating child labor and the worst forms of child labor. (17) During the reporting period, the Ministry of Internal Affairs' Child and Family Services office reviewed the Child Protection Policy and Strategic Plan for the Cook Islands in conjunction with UNICEF Pacific. (3)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

As there is no evidence of a problem, there appears to be no need for social 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 6. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2012 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2020
Government Policies	Publish activities undertaken to implement the Cook Islands National Youth Policy.	2015 – 2020

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## MODERATE ADVANCEMENT

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In 2020, Costa Rica made significant advancement in efforts to eliminate the worst forms of child labor. In November, the government ratified the Protocol of 2014 to the Forced Labour Convention of 1930. The government also provided updated statistics on child labor prevalence and published the first findings of its Child Labor Risk Identification Model. In addition, the Attorney General published disaggregated data on efforts to combat the worst forms of child labor, and the Office for the Eradication of Child Labor and Protection of the Adolescent Worker began drafting a new National Action Plan to combat the worst forms of child labor. However, children in Costa Rica are subjected to 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, including in the production of coffee. Furthermore, existing social programs are not accessible to workers in all sectors, and the labor inspectorate lacks a sufficient number of inspectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Costa Rica are subjected to 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, including in the production of coffee. (I-10) 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	6.5 (46,509)
Attending School (%)	5 to 14	98.4
Combining Work and School (%)	7 to 14	7.0
Primary Completion Rate (%)		102.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (11)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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	Cultivating vegetables, roots, and tubers (8)
	Picking coffee (2,3,13-15)
	Weeding, clearing land, and watering seeds (4,16)
	Cattle raising, including for the production of milk (2,8,13,16)
	Fishing,† including shellfish extraction (13,17,18)
Industry	Construction, including of buildings (2,8,16,17)
	Mining† gold (16)
	Manufacturing, activities unknown (2,17)
Services	Working in restaurants, shops, and hotels (2,8,17)
	Street vending,† car washing, and repairing motor vehicles (2,8,10,13,16)
	Domestic work (2,8,10,16,17,19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,6,18,20,21)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Use in the production of pornography (16,22,23)
	Forced labor in the agriculture, construction, fishing, street vending, and commercial sectors (7,18,22,24)
	Domestic servitude (18,21)
	Use in transporting or selling drugs, sometimes as a result of human trafficking (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.

Children in Costa Rica, including migrant children, are subjected to commercial sexual exploitation, particularly in tourist destinations, border areas, and in the Northern and Pacific coastal zones. Costa Rica is also a destination country for child sex tourism, particularly with tourists from Europe and the United States. (21,25) Migrant children, typically from Nicaragua, are subjected to forced labor in agriculture, domestic servitude, and commercial sexual exploitation. (20,21,25)

In 2020, Costa Rica published updated child labor data through its National Household Survey, which showed that the number of working children between the ages of 12 through 17 had dropped from 13,328 in 2018 to 6,706 in 2019. (26) While the government highlighted the data as an indication of the near eradication of child labor, its last survey to incorporate children between the ages of 5 and 17 was conducted in 2016. (18)







A third of children engaged in child labor in Costa Rica work in agriculture, with the highest incidences of child labor occurring in coastal regions, in provinces such as Limon, Puntarenas, and Guanacaste. Migrant, indigenous, and Afro-descendant children are at the greatest risk of labor exploitation. (27,28)

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. (1,5,29,30,31) Because of the COVID-19 pandemic, an estimated 324,000 students may have lost access to education due to a lack of Internet connection after the government shut down schools and transitioned to a virtual learning model to reduce transmission of the virus. (18)

## 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 3, 78, 92, and 101 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 <i>bis</i> , 192, 376, 381, and 383–384 of the Penal Code; Article 84 of Regulation No. 36659; Article 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 (35-37)
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 (31,38)

During the reporting period, Costa Rica ratified the Protocol of 2014 to the Forced Labour Convention of 1930, which commits the government to take national action to combat, prevent, raise awareness of, and support victims of forced and compulsory labor. The Protocol will enter into force in Costa Rica in November of 2021. (18,41,42)

Two bills drafted in 2019 to amend the country's comprehensive list of hazardous occupations had yet to be sent to the National Assembly, pending inter-agency commission review and Ministry of Labor approval. The draft bills would restrict the participation of minors in public presentations and shows, particularly routines that pose the risk of death, have content contrary to morality, are performed during restricted hours, or interfere with compulsory education. (18,43) The bills would also restrict some fishing activities. (18)

Costa Rica's minimum age for work is lower than the compulsory education age, making children between ages 15 and 17 vulnerable to child labor 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 authority of enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MTSS)	Monitors and enforces provisions in the Labor Code related to child labor, including conducting inspections and verification at worksites to ensure children are not engaged in hazardous labor or engaging in work that compromises a child's education. (31) Through the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA), responds to and attempts to prevent child labor through policy development and public awareness campaigns. (44) 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. (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, and 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. (10,16,45)
Judicial Investigative Police	Investigate child labor violations, including child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (20)
National Child Welfare Agency (PANI)	Leads the coordination of government and civil society efforts in child and adolescent protection. (46) Ensures that child labor victims receive social services, including temporary shelter, legal advice, counseling, and reintegration into the educational system. (31)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Costa Rica took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor and Social Security (MTSS) 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	2019	2020
Labor Inspectorate Funding	\$14,000,000 (10)	\$8,300,000 (18)
Number of Labor Inspectors	123 (10)	123 (18)
Inspectorate Authorized to Assess Penalties	Yes (33)	Yes (33)
Initial Training for New Labor Inspectors	Yes (10)	Yes (18)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (10)	Yes (18)
Number of Labor Inspections Conducted	18,082 (10)	6,424 (47)
Number Conducted at Worksite	18,082 (10)	Unknown
Number of Child Labor Violations Found	23 (10)	10 (18)
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 (10)	Yes (18)
Routine Inspections Targeted	Yes (10)	Yes (18)
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Yes (10)	Yes (18)
Complaint Mechanism Exists	Yes (10)	Yes (18)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (18)

While the labor inspectorate identified 10 child labor violations during the reporting period, the Office for the Eradication of Child Labor and Protection of the Adolescent Worker (OATIA) also identified 231 minors working. Meanwhile, the National Child Welfare Agency reported receiving 43 reports of minors engaged in child labor and exploitation. (18) In 2020, the Labor Inspection Office (DNI) within MTSS forwarded one case of child labor to OATIA so that social services could be provided. Meanwhile, OATIA referred 129 working minors to the Joint Institute for Social Assistance (IMAS) for inclusion in the cash transfer program for adolescent workers. (18)

During the reporting period, the DNI was forced to cease inspections in April and May due to the pandemic, and it modified its inspection strategy to conduct some onsite and some virtual inspections. It is not clear if the pandemic was the sole cause in the drop in total number of inspections. (18)

In 2020, MTSS reported its budget for only the DNI, as opposed to its entire program budget as it has reported in previous years. The DNI has indicated that its 2020 budget was sufficient to meet its needs. (10) However, enforcement of child labor laws, particularly in rural areas, is reportedly challenging due to insufficient funds for travel, facilities, and per diem costs incurred during inspections. (1,16) In addition, the Labor Inspection Office has acknowledged that the number of labor inspectors was insufficient to cover the target population. (10,18) 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. (48,49) 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. (2,13,23,50) Informal work is more common in agriculture than in other sectors in Costa Rica. (2)

The government did not provide information on number of worksite inspections conducted or amount of penalties imposed or collected for child labor violations for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Costa Rica 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (10)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (18)
Refresher Courses Provided	Yes (10)	Yes (18)
Number of Investigations	91 (10)	31 (18)
Number of Violations Found	79 (10)	12 (18)
Number of Prosecutions Initiated	16 (10)	4 (18)
Number of Convictions	9 (10)	2 (18)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (20)	Yes (18)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (18)

The Attorney General's Office provided disaggregated data of its criminal law enforcement efforts in 2020 in relation to the worst forms of child labor, which showed charges including forced begging, commercial sexual exploitation, domestic servitude, labor exploitation, and the distribution or possession of pornographic material. It investigated 31 cases, including 10 cases involving child trafficking and 21 cases of child pornography. (18) In one case, a defendant was sentenced to 27 years imprisonment for the commercial sexual exploitation of minors to whom he had offered modeling jobs. (18) In another case, two Nicaraguans were arrested for the commercial sexual exploitation of a minor, who was trafficked by her stepmother. (51)

During the reporting period, investigators received initial training and training on human trafficking and smuggling laws that were modified in 2019. The Attorney General's Office indicated that the pandemic had affected its operations and thus training during the reporting period was insufficient. (18)

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. Due to the pandemic, the government issued



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significant budget cuts in 2020 that further reduced resources for criminal law enforcement agencies. (6,20,24,52) In addition, a lack of training and resources for municipal-level authorities hampered the abilities of local governments to respond to cases that could involve the worst forms of child labor. (25) Costa Rica does not have a database to track human trafficking cases, making it difficult to target enforcement and prevention efforts. (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 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) Oversees the Inter-Institutional Coordinating Protocol for the Protection of Working Minors. (53) In 2020, OATIA, in collaboration with the ILO, the U.S. Department of Labor, and other agencies, published the results of the Child Labor Risk Identification Model, a statistical tool designed to identify localities with the greatest risk of child labor to develop targeted policies and strategies. (18,27,54)
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) During the reporting period, Costa Rica began drafting a new roadmap to combat child labor to replace the one that expired in 2020. Work on the roadmap included hosting individual stakeholder workshops in anticipation of a national workshop. (18,47)
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). (6,16) Coordinates anti-trafficking efforts among 22 public institutions, civil society organizations, and international organizations. Responsible for developing and implementing anti-trafficking policies, providing care to victims, prosecuting perpetrators, and providing training to government agencies. (25) During the reporting period, CONATT conducted trainings for various stakeholders on human trafficking and migration, including targeted trainings in San Carlos, Alajuela. The trainings reached around 2,500 individuals, a decrease from previous years since most trainings were conducted virtually due to the pandemic. (18,25)
National Commission Against the Commercial Sexual Exploitation of Children and Adolescents (CONACOES)	Prevents the commercial sexual exploitation of children and provides assistance and protection to victims. (16) Led by the National Council of Childhood and Adolescence; coordinates with OATIA and CONATT to address the worst forms of child labor. (16,55) In 2020, the commission held regular plenary and sub-commission sessions focusing on developing sub-commission work plans for 2021. (18)

Reports indicate that coordination is lacking between institutions responsible for investigating the worst forms of child labor and those providing social services to victims. (4,6) OATIA has reported that its office needs additional staff to better assist children engaged in child labor and their families. In addition, OATIA has noted that its office shares one vehicle with two other MTSS units, which limits its ability to provide oversight of child labor programs. (45)

### 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
Roadmap against Child Labor and the Worst Forms of Child Labor (2010–2020)	Aimed 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. (56,57) The roadmap expired in 2020 and the government began drafting a new roadmap for 2021. (18)
Inter-Institutional Coordinating Protocol for the Protection of Working Minors	Outlines provision of services for child laborers through collaboration between MTSS, PANI, the Ministry of Public Education, and the Joint Institute of Social Assistance (IMAS), and their regional and local agencies and the private sector. (2,4,58) The government implemented the protocol during the reporting period, as demonstrated by referrals of child labor cases to various support agencies. (18)

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

Policy	Description
National Plan for Development (2019–2022)	Outlines the government's objectives, priorities, and goals in the use of resources and in the implementation of policies, plans, and projects over a 4-year period. The plan incorporates labor rights, child welfare and development, and poverty reduction, and integrates child labor as an indicator for establishing decent work and reducing employment insecurity. (10,59) In 2020, an action plan was developed and agencies received training on steps to take to meet the goals of the development plan. (60) The government also published data in 2020 indicating that the plan had met three of its five goals in 2019, including reducing poverty. (61)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 accessibility of programs to all relevant groups.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Bridge to Development†	Aims to reduce poverty and eliminate vulnerability, including child labor, by providing social services to families in poor communities. (4,23,62) In 2020, the program expanded to include 19,000 families in the Chorotega region. (63) The program also launched a new joint initiative in 2020 that focuses on implementing strategies to improve female economic independence with a focus on environmental sustainability. The new initiative implemented three "innovation laboratories" in the Buenos Aires, Puntarenas, and Limon cantons. (64)
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. (22,24) The organization announced in 2020 that it had received funding to build a new shelter for child victims of human trafficking and commercial sexual exploitation referred by PANI, and indicated the shelter would have space for 24 female survivors. (65,66)
Houses of Joy (Casas de la Alegría)†	Public-private alliance that provides culturally sensitive daycare and meals to <i>Ngäbe 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. (3,16,23,67-69) IMAS funds meals, caregiver salaries, and training; farm owners provide the land and classrooms, with financial contributions from UNICEF for building and teaching materials. (1,23,55,58,68) In 2020, <i>Casas de Alegría</i> initiated a cooperative expansion with <i>Cooperativas de Las Americas</i> and the EU to renovate facilities and incorporate home appliances, and to implement strategies for improving employment conditions for agricultural workers. (70,71)
Let's Get Ahead Program (Avancemos)†	IMAS program that provides monthly conditional cash transfers to low-income families to keep children in school and out of exploitative work. (2,30,72) In 2020, IMAS increased funding for all of its social programs by nearly 65 percent, including for the <i>Avancemos</i> program, which received over \$49 million during the reporting period. The program served 163,434 students in 2020. (73) In addition, during the reporting period, IMAS conducted a survey of <i>Avancemos</i> participants to gauge perceptions of the program's effectiveness during the pandemic. (74)
USDOL-Funded Projects	<u>Youth Pathways to Leadership, Learning, and Livelihoods in Costa Rica</u> , \$3 million project implemented by Youth Build International; (75) <u>Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks</u> , \$3.3 million multi-country project that works with employers, government agencies, civil society organizations, and other actors to promote apprenticeships and other types of work-based training opportunities for vulnerable youth; (76) <u>Implementing a Culture of Labor Compliance in Costa Rica's Agricultural Export Sector</u> , \$2 million project implemented by the Foundation for Peace and Democracy (FUNDAPEM). (77) For additional information, please see our <a href="#">website</a> .

† Program is funded by the Government of Costa Rica.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (78,79)

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. (3,14)

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### 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 II).

**Table II. 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 – 2020
	Raise the minimum age for work to be commensurate with the compulsory age for education.	2020
Enforcement	Publish information on the number of inspections conducted at worksites, and of child labor violations for which penalties were imposed and collected.	2017 – 2020
	Allocate sufficient resources to ensure regular labor inspections in rural areas and the informal sector, including child labor inspections, particularly in agriculture.	2015 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that the judiciary, prosecutors, municipal authorities, and the police have sufficient staff, training, and resources to investigate, prosecute, and convict perpetrators of human trafficking and commercial sexual exploitation of children, and identify victims of child trafficking and refer them to appropriate social services.	2017 – 2020
	Develop a mechanism to properly track human trafficking cases to improve enforcement and prevention efforts.	2019 – 2020
Coordination	Strengthen coordination and information sharing between institutions responsible for investigating child labor and providing social services to victims.	2015 – 2020
	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 – 2020
Government Policies	Adopt and implement a new roadmap to eliminate the worst forms of child labor.	2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural areas, girls, LGBTI youth, children from indigenous and Afro-descendant communities, and migrant children.	2015 – 2020
	Improve access to social services, particularly for migrant, Ngäbe Buglé indigenous children in coffee-growing areas.	2015 – 2020

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In 2020, Côte d'Ivoire made moderate advancement in efforts to eliminate the worst forms of child labor. The government rescued 138 children from suspected traffickers, the Ministry of Women, Family, and Children created a team of social workers to identify victims of child labor, and the Ministry of Security and Interior created new units to investigate cases of child labor and human trafficking. In addition, as part of its COVID-19 pandemic response, the government established a fund for low-income families known to be vulnerable to child labor. Children in Côte d'Ivoire are subjected to the worst forms of child labor, including in the harvesting of cocoa and coffee, each sometimes as a result of human trafficking. Although the government made meaningful efforts in all relevant areas during the reporting period, it did not impose penalties for violations related to the worst forms of child labor. In addition, labor inspectors are not authorized to assess penalties, and a lack of financial resources and personnel may have hindered labor law enforcement efforts.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Côte d'Ivoire are subjected to the worst forms of child labor, including in the harvesting of cocoa and coffee, each sometimes as a result of human trafficking. (1,2) According to a Multiple Indicator Cluster Survey conducted in 2016, 21.5 percent of children ages 5 to 17 are engaged in hazardous work. (3) During the reporting period, NORC at the University of Chicago released a report detailing findings from a sectorally representative survey conducted in Côte d'Ivoire and Ghana during the cocoa harvesting season of 2018–2019. This report found an increase in child labor (and hazardous child labor) in cocoa production during the 10 year timeframe since the survey in 2008–2009. (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	25.6 (Unavailable)
Attending School (%)	5 to 14	70.1
Combining Work and School (%)	7 to 14	21.8
Primary Completion Rate (%)		78.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2016. (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	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 (1,2,4,6-11)
	Production of cereals, pineapple, bananas, and coffee, including applying chemical fertilizers,† spraying pesticides,† cutting down trees,† and burning† and clearing fields† (2,6,12)
	Production of palm oil, cashews, honey, and rubber (1,2,11)
	Fishing, including deep sea diving;† repairing and hauling nets; and cleaning,† salting, drying, descaling, and selling fish (1,2,12)

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

Sector/Industry	Activity
Agriculture	Production of charcoal† (1,6,10)
	Forestry (11,13)
Industry	Mining,† including crushing and transporting stones, blasting rocks, digging, working underground, sieving, and extracting gold with mercury or cyanide (1,9,11,12,14)
	Manufacturing, including repairing automobiles (11,12)
	Construction,† activities unknown (12)
Services	Domestic work (2,3,9,11,12,15)
	Working in transportation and carrying goods† (1,6,9,11,12)
	Street vending and commerce (2,6,9,11,12,14)
	Work in restaurants (2,14)
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, cotton, and rubber; each sometimes as a result of human trafficking (4,6,11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (11,14)
	Use in illicit activities, including drug trafficking (16)
	Forced begging as <i>talibés</i> by Koranic teachers, sometimes as a result of human trafficking (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.




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. (2,6,7,15)

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. (2,11,18-21) In addition, birth registration identity documents are required for students to take entrance exams for secondary school, posing a barrier to continued education beyond primary level. (2,11,22) A shortage of teachers, poor school infrastructure, lack of transportation systems in rural areas, inadequate sanitation facilities, and violence have negatively impacted children's ability to attend school. (2) Research also suggests that some students are physically and sexually abused at school, which may deter some students from attending school. (2,11,20,21,23) According to the Ministry of National Education, more than one in four girls in Côte d'Ivoire does not attend primary school. (24) During the reporting period, from March 16 through May 10, schools in Côte d'Ivoire were closed to in-person learning as a response to the COVID-19 pandemic. (11) Results from the government's Child Labor Monitoring and Remediation System indicate that children working in hazardous working conditions increased during the reporting cycle, which is at least partially attributed to the pandemic. (25) Research showed that despite an upward spike in child labor during the partial government shutdown as a reaction to the pandemic, in cocoa producing areas the level of child labor returned to pre-pandemic levels at the end of the partial government shut down. (26) Research released during the reporting period showed that between 2008 and 2019, there were significant increases in cocoa production and during that time, child labor in high producing zones remained stable. However, in small- and medium-producing zones, child labor increased. During this time, there was an increase in children attending schools in cocoa-growing areas. (4) Results from the government's Child Labor Monitoring and Remediation System indicate that there was an increase in numbers of children working in hazardous working conditions during the reporting cycle, which is at least partially attributed to the partial lockdown that occurred during the pandemic. (4)

## 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	✓

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 (27,28)
Minimum Age for Hazardous Work	Yes	18	Article 4 of the Prohibitions of Hazardous Work List (29)
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 (29,30)
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 (27,28,30)
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 (27,30-32)
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 (29,30,32)
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 (30)
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 (33,34)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 56.4 of the Armed Forces Code (33)
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 (30)
Compulsory Education Age	Yes	16	Article 10 of the Constitution; Article 2.1 of the Law on Education (27,35,36)
Free Public Education	Yes		Article 2 of the Law on Education (36)

\* No conscription (34,37,38)

The civil code is being revised to include more specific designations of the minimum age at which certain types of work can be performed. (2)

### 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 enforcement agencies that may hinder adequate enforcement of child labor laws.

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**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. (2,11,23) The Anti-Trafficking Unit, a Sub-Directorate, and the Ministry of Women, Family, and Children provide support to victims of child trafficking and other forms of child labor. (2,15) MEPS has authority over 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. (2,9,11,12) The General Labor Directorate in Abidjan coordinates the regional offices and their efforts to combat child labor. (11,16,39)
Ministry of the Interior and Security*	Through its Anti-Trafficking Unit, leads efforts to enforce criminal laws against child trafficking. Through its Brigades <i>Mondaine</i> (Vice Squads), combats commercial sexual exploitation, including the exploitation of children. (2) 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. (37,40) In June 2020, the Ministry of Interior and Security established six special police units, called Anti-Child Trafficking and Juvenile Delinquency Division units—or <i>La Sous-direction de la Police Criminelle chargée de la Lutte Contre la Traite d'Enfants et la Délinquance Juvenile</i> (SDLTEDJ)—to deploy across the country and investigate child labor and child trafficking cases. Each unit consists of 10–20 officers, with 2 motorcycles, a 4-wheel drive vehicle, computers, and office materials. (11) During the reporting period, these units received 2-to-3 weeks of specialized training in Abidjan before deploying to these cities where child labor is known to occur: San Pedro, Soubré, Bouaké, Bondoukou, Korhogo, and Man. (11,14)
Ministry of Defense	Through its National Gendarmerie, investigates child labor violations in rural areas where there is no police presence. (2)
Ministry of Justice and Human Rights	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. (2) The Ministry of Justice and Human Rights is charged with rehabilitating children who have been detained or arrested. (11)
Ministry of Women, Family, and Children	Leads the government's efforts to combat human trafficking and implements a National Policy on Child Protection. (2,41) Provides support to child labor victims in coordination with MEPS. (2,42) During the reporting period, created a "street team" of social workers to identify victims of child labor. (11) Also continued to run specialized shelters to support victims of human trafficking, as well as the hotline (116), which reportedly received 43,456 calls reporting cases of child exploitation or violence against children. (11)

\* Agency responsible for child labor enforcement was created during the reporting period.

On December 15, 2020, the Ministry of Security and Civil Protection and the Ministry of Territorial Administration and Decentralization were combined into the new Ministry of the Interior and Security. (11)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Côte d'Ivoire took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment and Social Protection (MEPS) that may hinder adequate labor law enforcement, including the authority to assess penalties for violations.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$307,400 (2)	\$300,169 (11)
Number of Labor Inspectors	258 (2)	281 (11)
Inspectorate Authorized to Assess Penalties	No (2,43)	No (11,43)
Initial Training for New Labor Inspectors	Yes (2)	Yes (11)
Training on New Laws Related to Child Labor	Yes (2)	N/A (11)
Refresher Courses Provided	Yes (2)	Yes (11)
Number of Labor Inspections Conducted	2,674 (44)	1,659 (11)
Number Conducted at Worksite	1,548† (2)	1,659 (11)
Number of Child Labor Violations Found	214 (2)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (2)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	N/A (11)
Routine Inspections Conducted	Yes (2)	Yes (11)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Targeted	Yes (2)	Yes (11)
Unannounced Inspections Permitted	Yes (2,43)	Yes (11,43)
Unannounced Inspections Conducted	Yes (2)	Yes (11)
Complaint Mechanism Exists	Yes (2)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (11)

† Data are from January 1, 2019 to September 30, 2019. (2)

The number of labor inspectors is likely insufficient for the size of Côte d'Ivoire's workforce, which includes approximately 8,747,000 workers. (45) 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 584 labor inspectors. (45,46) Labor inspectors are also tasked with dispute conciliation, which may detract from their primary duties of inspection. (28,47) The labor inspectorate suffers from a lack of resources, including insufficient staff. (23,28) While some labor inspections are done in the informal sector, the majority of the inspections are done in the formal sector where child labor is less likely to occur. (11,48,49)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Côte d'Ivoire took actions to combat child labor (Table 7). However, gaps exist within the operations of 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	2019	2020
Initial Training for New Criminal Investigators	Yes (2)	Yes (11)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	N/A (11)
Refresher Courses Provided	Yes (2)	Yes (11)
Number of Investigations	131 (2)	500 (11)
Number of Violations Found	218 (2)	298 (11)
Number of Prosecutions Initiated	143 (2)	298 (11)
Number of Convictions	15 (2)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	0 (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (11)

Despite an increase in vehicles and computers, and an increase in the number of violations identified and prosecutions initiated, the Anti-Trafficking Unit continued to lack the resources and personnel to adequately enforce criminal child labor laws throughout the country. (7,49,50) The government did not provide any additional details regarding the conviction of individual defendants nor the imposition of penalties. (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 of data collection among ministries and regions.



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

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. (2,49,50) Chaired by the First Lady of Côte d'Ivoire and comprises 16 international and domestic partners. (2,14,15,49,51) During the reporting period, CNS continued to implement National Action Plan activities and provided an additional \$200,000 (100 million CFA) to SDLTEDJ. (11,14)
Inter-Ministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor	Designs, coordinates, and implements all government actions to combat the worst forms of child labor, and monitors relevant programs implemented by partner organizations. (52,49,51,53) Chaired by MEPS, includes representatives from 12 other ministries. (15,49,51,53) Research was unable to determine whether the Inter-Ministerial Committee on the Fight Against Trafficking, Exploitation, and Child Labor was active during the reporting period. (11)
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, coordinates government efforts, and monitors implementation of all projects related to human trafficking. (54) Includes representation at the local level through dedicated units charged with implementing the National Action Plan and Strategy Against Human Trafficking. (54,55) The Ministry of Women, Family, and Children serves as the executive secretariat and the committee comprises 13 ministries. (16) In February 2020, the CNLTP and the Police Unit charged with Combating Transnational Crimes ( <i>L'Unité de Lutte Contre la Criminalité Transnationale</i> , or UCT) with technical and financial assistance from UNODC, rescued 138 child victims of trafficking and forced labor in Abengourou, a city near the Ghanaian border. (11)
Office of the First Lady	Engages with international partners on child labor issues in the cocoa trade and puts pressure on industry sourcing cocoa from Côte d'Ivoire to increase traceability. (56,57) The Ivorian First Lady's office remains the key driver of the government's anti-trafficking efforts. (56) During the reporting period, the government closed schools from March to May to attempt to limit transmission of COVID-19. Due to concerns that this closure would result in an increase in child labor, the Ivorian First Lady issued a communiqué in April 2020 urging authorities to remain vigilant against child labor and warning parents not to use the school closure as a pretext to put their children to work. (14)

Research indicates that the First Lady's interest in combating child labor and child trafficking motivated ministries and law enforcement agencies to increase their anti-trafficking efforts. International organizations praised the First Lady for marshaling resources to fight child labor and child trafficking, and for the visibility she brought to these issues. (14) Coordination of data collection among ministries and among different regions remains a challenge. (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 funding and mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Trafficking, Exploitation, and Child Labor (2019–2021)	Coordinated by CNS and the Inter-Ministerial Committee to Combat Trafficking, Exploitation, and Child Labor, aims to significantly reduce the number of children engaged in the worst forms of child labor by drawing on best practices and building on lessons learned from the implementation of previous national action plans. 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 human trafficking and the worst forms of child labor. (58) During the reporting period, the government continued to implement this plan with aid from national and international NGOs, UNICEF, and ILO. The 2019–2021 NAP is still not fully funded, but the government has not disclosed the shortfall. (11)
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, as well as the International Chocolate and Cocoa Industry. (52,59,60) Provides key stakeholders with resources and facilitates coordination of efforts to reduce the worst forms of child labor in cocoa-producing areas. Aims to ensure that all project efforts implemented under the Declaration and Framework align with Côte d'Ivoire's national action plans to promote coherence and sustainability. (52,59-61) Governments of Ghana and Côte d'Ivoire; USDOL-funded projects; and some industry-funded projects carried out activities that support the spirit of this policy during the reporting period. The annual Child Labor in Cocoa Coordinating Group meeting was postponed from November 2020 to a later date. (11)

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

Policy	Description
Policies Involving SOSTECl	Aim to strengthen and expand SOSTECl. Include partnership agreement between the International Cocoa Initiative and CNS in support of the National Action Plan to Combat Trafficking, Exploitation, and Child Labor. (2) The Decent Work Country Program (2017–2020), in collaboration with ILO, aimed to improve working conditions, strengthen SOSTECl, and combat the worst forms of child labor. (62,63) The National Development Plan (2016–2020) allocated almost \$6.1 million over 5 years to conduct diagnostic studies on child labor and child trafficking, construct three child protection centers, and develop a national action plan to combat human trafficking, particularly of girls. (64) During the reporting period, the government continued to support SOSTECl to detect and provide remediation support to children engaged in child labor. (11)
National Action Plan and Strategy Against Human Trafficking (2016–2020)	With the support of UNODC and coordinated by CNLTP, \$14.8 million project that aimed 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. (58,65,66) During the reporting period, research shows projects continued to take place in support of this plan. Projects included implementing the Child Labor Monitoring and Remediation System, training of government counterparts, and support to public-private coordination efforts. (11)
Labor Inspection Strategy (2019–2021)	Through the Ministry of Employment and Social Protection with assistance from ILO, 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, the provision of counseling, and monitoring. (13,48) In 2020, undertook activities related to building the capacity of the inspectors, monitoring of inspection units, and raising public awareness.
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. (18) The government focused on increasing school enrollment in parts of the country where child labor is prevalent, such as in cocoa-growing regions. School enrollment of children in cocoa-growing regions increased from 59 percent in the 2008–2009 academic year to 85 percent in the 2018–2019 academic year. (10,11) In 2020, the government reported transferring \$157 million (84 billion CFA)—up from \$22.3 million (12 billion CFA) in 2017—of the education budget for school construction to local governments, communities, regional councils, and districts. (11) However, there remains insufficient classroom space in rural areas for the number of students enrolled. During the reporting period, UNICEF estimated the country needs another 30,000 classrooms. (11)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (19,20)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Industry-Funded Projects	Aim to increase sustainability in the cocoa sector; improve farmer livelihoods and access to education – including increasing access to education opportunities for children – and combat the worst forms of child labor in cocoa-growing areas. Some projects support the World Cocoa Foundation's CocoaAction (2014–2020) strategy and the spirit of the 2010 Declaration. (61,67,68) In November 2017, the governments of Ghana and Côte d'Ivoire signed an agreement to fight deforestation and protect the cocoa supply chain. During the reporting period, private industry continued to implement the Cocoa and Forests Initiative to this end. (69) A study released in July 2020 by the International Cocoa Initiative, a Swiss-based non-profit foundation funded by chocolate and cocoa companies, found that child labor in the cocoa sector had increased during the pandemic. (14,25)
Programs to Promote Education†	Aim to raise school attendance rates in rural areas, particularly among girls, by providing school meals, facilitating birth registration, and constructing community schools ( <i>écoles de proximité</i> ). Include the \$42.5 million, WFP-funded Integrated Program for Sustainable School Feeding; the Ministry of National Education School Feeding Program; (70) the McGovern-Dole School Feeding Program, a \$25 million joint initiative between WFP and the U.S. Department of Agriculture, in coordination with the Ministry of National Education, that benefited approximately 132,362 school children in FY 2020; (71) and the Millennium Challenge Corporation Compact Skills for Employability and Productivity Project, in year 2 of 5 year compact that provides \$118 million for secondary education and \$37 million for Technical and Vocational Education Project (TVET). (72) Research was unable to determine whether activities took place in 2020 for TVET.

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

Program	Description
World Bank-Funded Projects	Aim to improve access to education and provide poverty relief. Include: Second Fiscal Management, Education, Energy and Cocoa Reforms Development Policy Operation (2017–2020), closed on June 30, 2020; a \$125 million project that closely aligned with the 2016–2020 National Development Plan; Productive Social Safety Net (2015–2020), which disbursed cash transfers to 100,000 households in 2020 and has since been extended to 2024; and a \$50 million cash transfer project to poor households in the Central, Northern, and Western regions of Côte d'Ivoire. (73-75)
USDOL-Funded Projects	USDOL projects in cocoa-growing areas of Côte d'Ivoire and Ghana aimed to eliminate child labor through research, monitoring, enforcement, and implementation and expansion of SOSTECl. These projects include: <u>FLIP</u> : \$1,490,318 added to Verite-implemented project to expand work into Côte d'Ivoire in 2020. (76) <u>CACAO</u> : Implemented by Save the Children, \$4,000,000 awarded in December, 2020. (77) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (78)

During the reporting period, the government undertook various activities, such as awareness-raising campaigns; construction of classrooms, school canteens, including providing 119,527 students with lunch, and housing for teachers; construction of health facilities and housing for nurses; and donations of school kits and personal protective equipment to prevent transmission of COVID-19. (11) In addition, the government continued to facilitate the delivery of birth certificates. (11)

Despite an increase in activities, the scope of existing programs is insufficient to fully address the extent of the child labor problem in Côte d'Ivoire. (2) Current programming is not expansive enough, evidenced by the fact the child labor prevalence rate has not declined. The industry funded NORC report-also released in October 2020 - found that programs like the Child labor monitoring and remediation system (CLMRS), access to quality to education, programs to increase farmer yields and household income need to be scaled and expanded to impact more families. (4)

In April 2020, as part of its pandemic response, the government established a support fund for low-income families known to be more vulnerable to the conditions that often engender child labor. As of December 30, the government reported spending \$26.9 million (14.5 billion CFA) in direct cash transfers to support 194,245 households. (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 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 to authorize and assess penalties.	2014 – 2020
	Publish information on labor law enforcement efforts, including the number of child labor violations found and whether penalties were imposed or collected.	2016 – 2020
	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 – 2020
	Ensure that criminal law enforcement agencies receive the resources, personnel, and training needed to adequately enforce laws related to the worst forms of child labor.	2018 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Publish information on criminal law enforcement efforts, including the number of convictions and penalties imposed for violations related to the worst forms of child labor.	2019 – 2020
Coordination	Ensure that all coordinating bodies are active and are able to carry out their mandates.	2017 – 2020

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure that the National Action Plan to Combat Trafficking, Exploitation, and Child Labor is fully funded and all funds are disbursed.	2019 – 2020
	Integrate child labor elimination and prevention strategies into all relevant policies.	2013 – 2020
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. Ensure that all children have access to birth registration and identity documents.	2011 – 2020
	Ensure that social programs to address child labor are active and report activities.	2020
	Expand existing programs and institute new ones aimed at addressing the full scope of the child labor problem in Côte d'Ivoire.	2009 – 2020
	Ensure that victims of the worst forms of child labor are able to access social services throughout the country.	2015 – 2020
	Ensure that there are sufficient classrooms available for all students enrolled.	2020

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In 2020, Djibouti made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor unveiled a national labor inspection strategy, and for the first time, the labor inspectorate targeted sectors and geographical areas where children are at risk of child labor, including its worst forms. The Ministry of Education and Professional Training also maintained continuity of education for Djibouti's most vulnerable children, including refugees, following nationwide school closures to contain the COVID-19 pandemic. However, children in Djibouti are subjected to 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 street work. Minimum age provisions apply only to children with a formal employment contract, which does not comply with international standards. Law enforcement efforts are also inadequate to prevent and combat child labor, in part because labor inspectors lack the authority to assess penalties. In addition, 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 allocations and reporting mechanisms.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Djibouti are subjected to 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 street work. (1-3) Table 1 provides key indicators on children's work and education in Djibouti.

**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 (%)		63.0

Source for primary completion rate: Data from 2020, published by the UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 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, including goats and cattle (6)
Services	Domestic work† (2)
	Street work, such as shining shoes, washing and guarding cars, cleaning storefronts, sorting merchandise, collecting garbage, begging, and selling items (2,7,8)
	Working in restaurants, small shops, and family businesses (2)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,7-9)
	Forced domestic work and begging, each sometimes as a result of human trafficking (2,7-9)
	Use in illicit activities, including the selling of marijuana (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.

Reports suggest that children, including undocumented migrant girls, are vulnerable to commercial sexual exploitation in Djibouti City and along the Ethiopia-Djibouti trucking corridor. (7,10) Djibouti is also host to the largest number of foreign military installations in the world, including thousands of military personnel and

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security contractors. This foreign military presence heightens the risks of commercial sexual exploitation of girls. (11) Djibouti is a heavily trafficked transit country for mixed-migration flows from Ethiopia, Yemen, the East Africa region, and the Arabian Peninsula. In 2019, roughly 200,000 migrants (600–1,000 per day) transited through the country, 47 percent of whom were children. (12-14) Djibouti City alone hosted more than 30,000 refugees and asylum seekers and 150,000 people on the move. (12,13,15) Border closures in Ethiopia and Yemen in the wake of the pandemic cut off well-travelled migration routes. Many migrants, including children, in transit to the Arabian Peninsula border were stranded in Djibouti. (12,16)




Nationwide school closures to contain the pandemic disrupted education for at least 138,000 children. Close to 40 percent of these children lacked access to distance learning equipment. (3) Children in refugee camps attend schools located within the camps. (3) Some undocumented children were allowed to attend school but could not sit for exams. Many undocumented migrant or street children in Djibouti City do not have access to public education. (3) In addition, Djibouti requires national birth certificates or UNHCR refugee documentation to graduate, which may serve as a disincentive for undocumented children to attend school, and, as a result, they remain vulnerable to exploitation. (2) They may be allowed to attend public schools outside the camps if they are able to furnish refugee documents. Private schools are out of reach for these children because they cannot afford to pay the tuition fees. (3) Children in rural areas, where access to documentation is limited, also face obstacles to attaining birth certificates. (2)

Djibouti's primary school enrollment rate increased from 75 percent to 92 percent between 2009 and 2019. (12) However, enrollment rates are lower for girls and for all children living in rural or impoverished areas, making these children more vulnerable to child labor. (17) Although primary and middle schools are tuition free, other school-related expenses may prevent children from attending school. (18,19) Despite the passage of a National Refugee Law in 2017, which guarantees education as a fundamental right to refugees and asylum seekers lawfully residing in Djibouti, over 40 percent of refugees ages 6 to 16 were not enrolled in school. (13,14,20)

## 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 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	No	16	Article 5 of the Labor Code (21)
Minimum Age for Hazardous Work	Yes	18	Articles 108 and 110 of the Labor Code (21)

**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 110 of the Labor Code (21)
Prohibition of Forced Labor	Yes		Articles 2 and 290 of the Labor Code; Article 23 of the Law Regarding Terrorism and Other Serious Crimes (21,22)
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 (22,23)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 394, 396, and 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 (23,24)
Prohibition of Using Children in Illicit Activities	Yes		Articles 355–356 and 461 of the Penal Code (24)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 1 of the National Army Amendment Decree (25)
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 (24)
Compulsory Education Age	Yes	16	Articles 4 and 14 of the Law on the Orientation of the Education System (26)
Free Public Education	Yes		Article 16 of the Law on the Orientation of the Education System (26)

\* No conscription (27)

The Labor Code's minimum age provision applies only to children who perform work under a formal employment agreement, which does not conform to international standards requiring the protection of all children under the law establishing a minimum age for work. (21,24,28,29) Djibouti's hazardous work provision is also incomplete. Although the Labor Code prohibits the employment of children between the ages of 16 and 18 in domestic work, hotels, and bars, Article 111 calls for the creation of a more complete hazardous work list, which has not been adopted. (21,24,29-31) Furthermore, laws do not specifically criminalize the offering or procuring of child for pornographic performances or the use of a child for prostitution. (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 operations of enforcement agencies 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. (8) Through its General Inspectorate of Labor and Social Laws (GILSL), regulates youth employment. (2,28)
Djibouti National Police, including the Brigade for Minors	Enforce criminal laws and investigate crimes related to child labor. (8) During the reporting period, the government created a specialized office within the National Directorate of the Police to coordinate migration issues, including trafficking in persons. The National Police also operated an anti-vice and minor protection squad, the Brigade for Minors, to handle crime committed by children. (2,3,32)
Ministry of Justice	Prosecutes child labor cases referred by MOL. (8)
National Commission on Human Rights	Receives complaints and investigates cases of human rights violations, including child labor. (8,33) Assists victims in obtaining legal aid to prosecute violators. (33)

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### Labor Law Enforcement

In 2020, labor law enforcement agencies in Djibouti took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (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	2019	2020
Labor Inspectorate Funding	Unknown (2)	Unknown
Number of Labor Inspectors	21 (2)	22 (3)
Inspectorate Authorized to Assess Penalties	No (2,21)	No (3,21)
Initial Training for New Labor Inspectors	Yes (2)	Yes (3)
Training on New Laws Related to Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	No (2)	Yes (3)
Number of Labor Inspections Conducted	103 (2)	30 (3)
Number Conducted at Worksite	73 (2)	5 (3)
Number of Child Labor Violations Found	Unknown (2)	6 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	0 (3)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	No (2)	Yes (3)
Unannounced Inspections Permitted	Yes (2)	Yes (3)
Unannounced Inspections Conducted	Yes (2)	Yes (3)
Complaint Mechanism Exists	No (2)	No (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (3)

Due to the pandemic, labor inspections were restricted to Djibouti City. Thus while the MOL's General Inspectorate of Labor and Social Laws (GILSL) normally conducts site visits in al-Sabieh, Dikhil, Tadjourah, and Obock, labor inspectors did not target these regions in 2020. (3) Nevertheless, for the first time, the GILSL targeted sectors in which children are at risk of child labor, including in construction, transport, trade, hotels, and restaurants. (3) During the reporting period, GILSL also inspected business in public works, transportation and warehouses, banks, and market services. (3) Inspectors removed six children as a result of an inspection. The government did not indicate whether these children received social services or not. (3)

In 2020, three MOL officials underwent workplace health and security training at the Arab Labor Organization, and 18 controllers completed a 1-year diploma course at the National Institute of Public Administration. (3) MOL requires additional offices and equipment for effective regional inspection coverage. The inauguration of a new MOL building during the reporting period is expected to address some of these concerns. (3) The government also made efforts to publicize its laws on child labor. To this end, the MOL continued to publish notices in local newspapers reminding businesses that child labor is strictly forbidden in Djibouti. (3) MOL also published its 2020–2024 labor inspection plan, which assesses the current number of labor inspection personnel as insufficient to cover the entire country. (3) The GILSL currently employs 30 inspectors and controllers, and plans to hire an additional 20 controllers by the end of 2024. (2,3)

Labor inspections are not routinely scheduled. They are carried out in reaction to repeated or serious complaints, and are limited to the formal sector, despite the fact that the majority of child labor violations occur in the informal sector. (2) The labor inspectorate is also not able to assess penalties. (2) Finally, although a mechanism for filing and responding to labor complaints exists, reports indicate that it is inefficient and opaque. (2) MOL did not issue any violations, penalties, or fines for child labor in 2020. (3)

The government does not publish data on child labor violations. Funding for the GILSL reportedly increased in 2020, but the government did not provide budget figures for this report. (3,34)



### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Djibouti took actions to combat child labor (Table 7). However, gaps exist within the operations of the Djibouti National Police 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	Yes (2)	Unknown (3)
Number of Investigations	Unknown (2)	30 (3)
Number of Violations Found	Unknown (2)	2 (3)
Number of Prosecutions Initiated	Unknown (2)	Unknown (3)
Number of Convictions	Unknown (2)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

During the reporting period, the government dedicated additional resources to the protection of vulnerable populations. (3) The police continued to make periodic arrests on suspicion of human trafficking for labor or commercial sexual exploitation of minors. Police also maintained their presence along key child trafficking corridors, particularly along the Siesta Beach road in Djibouti City. (35) However, due to procedural errors made in the investigation phase, a number of cases were ultimately not prosecutable. (35)

Djibouti maintains a referral mechanism for victims of child trafficking, commercial sexual exploitation, or abandonment, but not for children found in other types of child labor. The government does not publicly release information on its criminal law enforcement efforts. (2) NGOs communicate human trafficking indicators to the police, who refer these cases to the prosecutor's office. (6,29,35) The NGO Caritas International implements separate memorandums of understanding with the Ministry of Women and Family and the National Commission of Human Rights. (3,35) During the reporting period, a youth judge regularly visited Caritas facilities to provide counselling. The government also provided lawyers pro bono to represent unaccompanied children in court. (3) In addition, the government allocated the Ministry of Women and Family Affairs a plot of land to build a shelter and counseling center for women and children who are victims of violence. (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 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 (2015–2022). The inter-agency working group is led by the Ministry of Justice, and includes representatives from the MOL and the Ministry of the Interior. (1,36) The Anti-Trafficking Working Group did not meet regularly due to the pandemic, disrupting intra-agency coordination. The working group attempted to host video conference meetings after the 4 month government lockdown, but was not successful due to low participation. (3,32) Low participation rates precipitated a steep drop in the number of human trafficking cases investigated and prosecuted throughout the year. (3)

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

Coordinating Body	Role & Description
National Council for Children	Coordinates, implements, and monitors child protection policies and programs. Guides and defines government policy on child protection, including efforts to implement the Convention on the Rights of the Child. (37) Led by the Prime Minister and includes eight other agencies, representatives from NGOs, the private sector, and elected officials. (38) 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. (6) Research was unable to determine whether the Council was active in 2020.
Ministry of Women and Family	Creates child protection policies, and coordinates their implementation. The ministry also develops and implements programs to combat all forms of violence against children. (2,3) Through its National Policy for Children in Djibouti, focuses on the survival, development, protection, and participation of children. (2,35) The working group includes representatives from the Ministry of Justice, the National Police/Gendarmerie, the Ministry of Education, the Ministry of Health, the National Women's Union, the infant orphanage Daryel, and the National Agency for the Disabled, all of which coordinate efforts on the care of children at risk and child victims of violence. Despite challenges associated with the pandemic, the Ministry of Women and Family continued to hold regular meetings to coordinate efforts on child protection. (3) During the reporting period, the Ministry of Women and Family also undertook, in collaboration with the MOL and the Secretary of State for Youth and Sports, a 3 day onsite public awareness campaign to warn traders and entrepreneurs in Djibouti City against the use of minors in the workplace. (3)

Although the government has established an Anti-Trafficking Working Group, research did not find evidence that the government coordinates efforts to address other forms of child labor, including street work.

## 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 (2015–2022)	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. (39) The Anti-Trafficking Working Group, which coordinates the action plan's implementation, did not meet regularly due to the pandemic. (3)
Government of Djibouti Policies	Includes the National Policy for Children in Djibouti (2018–2022), which sets out fundamental rights for children, including access to basic social services and mobilizes national resources toward these ends. (40) The National Strategic Action Plan for Children in Djibouti, which was renewed in 2017, provides political and strategic guidelines for implementing the country's child protection policy. (41) The National Education Plan (2017–2020) aimed to expand preschool education opportunities for children in underserved regions, while reforming secondary, technical, and vocational education nationwide. The plan targeted a 100 percent primary enrollment rate, with a 90 percent enrollment rate for children ages 11 to 14. (40,42) The National Social Protection Strategy (2018–2022) seeks to broaden social protections for vulnerable children and youth. (40) Research was unable to determine whether activities were undertaken to implement these policies during the reporting period.
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, which is aligned with the UN 2030 Agenda for Sustainable Development. The government has launched or expanded several new policies and programs under this framework, including a revised Social Protection Strategy. (34,40)

In 2020, and for the fifth consecutive year, the National Action Plan on Trafficking in Persons was not operational. During the reporting period, the task force extended the implementation period for two more years, to 2022. (3) Research was unable to determine whether existing policies address other forms of child labor, including street and domestic work.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Ministry of Women and the Family Programs	Includes the Social Assistance Program (2016–present), which provides children and their families in vulnerable communities with education and in-kind support. Between 2016 and 2019, 3,086 families benefited from food aid and 500 school kits were distributed. (40) Similarly, the Support Project for Girls and Women in Precarious Situations (2017–present) is a multi-sectoral program aimed at reducing girls' economic and social vulnerability through education and training. (40) The Country Strategic Option Program (2019–2024) is a rural poverty-reduction program established under Djibouti's revised Social Protection Strategy. (40,43) Djibouti's Support Program for Children with Academic Difficulties, established in 2017, aims to provide academic support for children from low-income families. (40) Research was unable to determine whether activities were undertaken to implement these social programs during the reporting period.
Comprehensive Refugee Response Framework	Government commitment, under the UNHCR, to provide refugees with access to education, healthcare, employment, and income generation. During the reporting period, the Ministry of Social Affairs and Solidarity collaborated with UNHCR to launch a biometric registration and social assistance campaign for urban refugees. (3) These registered populations will receive food aid. The operation covers 1,200 urban and vulnerable refugee households living in Djibouti City and affected by the COVID-19 pandemic. (3,12,44) IOM's Assisted Voluntary Return and Reintegration (VARR)* supported NGOs, including SOS Children Village and Caritas Djibouti, in hosting migrant street children in 2020. (32) Government agencies and law enforcement, the Ethiopian embassy in Djibouti, and IOM coordinated efforts through VARR to facilitate the voluntary return of 537 migrants, including 102 minors, 412 to their country of origin. The large majority of returnees were Ethiopian. (32) IOM funded the construction of facilities that host and provide services to vulnerable children, including victims of human trafficking referred by state and non-state services, many of whom previously slept on the street or at Siesta Beach. (16,35) Caritas's overnight shelter opened in June 2019, and has since hosted 137 children. (35)
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. (8,46) UNICEF also supported 440 migrant street children, providing literacy and vocational training and other social services, and funded the training of the newly created Brigade for Minors within the Police Department. (2,13) In March 2020, the Minister of Social Affairs and Solidarity (MASS) and the UNICEF Resident Representative signed a memorandum of understanding for a 2020–2021 national social protection strategy. The strategy defines collaboration between the two parties in capacity-building for social workers, care of vulnerable families, and child protection. (3) In May 2020, MASS and UNICEF signed the biannual work plan for development and child protection for the period 2020–2021. The aim is to consolidate achievements to date and focus on ensuring the sustainability of care of children from vulnerable families through integrated and multi-sectoral services. (3)
World Bank-Funded Programs	The Integrated Cash Transfer and Human Capital Project (2019–2022) seeks to expand the social safety net system and provide basic services in targeted poor communities. (2,47,48) The Expanding Opportunities for Learning Project (2019–2024), a \$28 million project, supports Djibouti's efforts to expand access to quality education for 35,000 at-risk or underserved children, including girls, refugees, and disabled students. The Government of Djibouti and the International Development Association (IDA) agreed to co-finance the program, which aims to expand access to and improve retention in primary and lower secondary education for disadvantaged and vulnerable population groups. The project also plans to build the capacity of teachers and administrators in underserved areas. (14,49-51) During the reporting period, the World Bank coordinated efforts to expand education opportunities with the Global Partnership for Education and other implementing partners. (49-51) In December 2020, the World Bank approved a \$30 million IDA grant to improve living conditions and socio-economic inclusion of Djibouti's most vulnerable host communities and refugees, including children. (3)
WFP Djibouti Country Strategic Plan (2020–2024)*	Supports the government's priorities for achieving food and nutrition security through activities that constitute a significant shift from previous WFP programs: stronger partnerships to strengthen national capacity in school feeding, nutrition, social protection, emergency preparedness, agricultural production support for rural and urban women and men equitably, vocational training for peace, and prosperity and supply chain management. (3,52) It provides for a gradual transition from WFP's previous activities by focusing on support for nationally led social protection programming. Provided social protection, human capital development, and resilience programming. (52-54) Replaces the WFP's Djibouti Transitional Interim Country Strategic Plan. (52,54) In December 2020, provided unconditional in-kind food distributions and cash-based transfers to 71,874 refugees, asylum seekers, migrants, and vulnerable households in rural and urban areas. The WFP also supported the National Family Solidarity Program†. The program, implemented by the State Secretariat for National Solidarity, establishes cash transfers to support Djiboutian households in extreme poverty. (45,55)

\* Program was launched 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. (27,56,57)

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The Government of Djibouti, in line with the 2017 Djibouti Declaration on Refugee Education, is working to implement its commitment to integrate child refugees into its national education system. (14,20,58,59) Nevertheless, research found no evidence of programs to assist children involved in domestic work, street work, and commercial sexual exploitation. (29) 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 it does not provide support or services to assist in these efforts. (6,9) In 2020, the Ministry of Education and Professional Training collaborated with international partners to maintain continuity of education for Djibouti's most vulnerable children, including refugees, unaccompanied and separated children, those in remote areas, and children with disabilities. (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 Djibouti (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children are afforded minimum age for work protections under the law, including children working outside formal employment relationships.	2015 – 2020
	Ensure that laws criminally prohibit the use of children in prostitution and the procuring or offering of a child for pornographic performances.	2012 – 2020
	Ensure that hazardous occupations and activities prohibited for children are comprehensive.	2009 – 2020
Enforcement	Ensure that all regions are targeted for labor inspections, that the labor inspectorate has the necessary equipment for regional inspection coverage, and that labor inspections are conducted routinely.	2017 – 2020
	Employ inspectors or controllers dedicated to child labor law enforcement, and ensure that inspections target the informal sector, in which the majority of child labor occurs.	2018 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019 – 2020
	Strengthen the labor inspectorate by allowing inspectors to assess penalties.	2015 – 2020
	Ensure that a labor complaint mechanism exists, and that it is effective and transparent.	2010 – 2020
	Ensure that a criminal referral mechanism exists for all forms of child labor and that it is efficient and transparent.	2018 – 2020
	Provide the necessary resources, including training, for the Djibouti National Police to make viable referrals for the prosecution of child labor-related violations.	2017 – 2020
	Establish coordinating mechanisms to combat all forms of child labor and ensure existing mechanisms function as mandated.	2009 – 2020
Government Policies	Take concrete steps to combat child trafficking by implementing the National Action Plan on Trafficking in Persons.	2017 – 2020
	Implement existing policies to address all forms child labor, including street and domestic work.	2016 – 2020
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 – 2020
	Ensure that all children, including refugees and asylum seekers, have access to education by removing requirements for national birth certificates or UNHCR refugee documentation to attend school.	2019 – 2020
	Implement programs to specifically address children involved in domestic work, street work, and commercial sexual exploitation.	2009 – 2020

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Although research found no evidence that child labor exists in Dominica, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. 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 pornography, or pornographic performances, and the use of children in illicit activities, including the production and trafficking of drugs. During the reporting period, the government did not respond to requests for information related to its efforts to address child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Dominica. (1-3)




No current survey data on the child labor situation in Dominica are available. (1-3)

In 2020, due to the COVID-19 pandemic, there were limited school closures, but generally, access to education continued. (3) 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. (1,3,4)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Dominica 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 Dominica's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for hazardous work.

# Dominica

## NO ADVANCEMENT

**Table 2. 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 (5)
Minimum Age for Hazardous Work	No		
Identification of Hazardous Occupations or Activities Prohibited for Children	No		
Prohibition of Forced Labor	No		Article 4 of the Constitution; Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (6,7)
Prohibition of Child Trafficking	No		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act (7)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 2, 8, 10, and 13 of the Transnational Organized Crime (Prevention and Control) Act; Article 18 of the Sexual Offenses Act (7,8)
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 (5)
Free Public Education	Yes		Article 15 of the Education Act 1997 (5)

† No standing military (9)

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. (5)

Pursuant to Section 7(1) of the Employment of Women, Young Persons, and Children Act, children under age 18 are prohibited from working at night, unless they are working with family members. (11) The law does not otherwise prohibit the employment of children in work that is likely to jeopardize their health, safety, or morals. (10, 11) Specifically, Dominica does not have national laws or regulations that define the types of hazardous work prohibited for children. (7) The government also has not established a minimum age for hazardous work. Dominica's laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. In addition, laws related to child trafficking are not sufficient because they are limited to international human trafficking. (7) The government has not enacted laws or regulations explicitly prohibiting the use of children in pornography, pornographic performances, or illicit activities, including the production and trafficking of drugs. (10)

### 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. However, the government 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
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. (3,10) Reports to police and social services those cases in which children are found in exploitative labor situations. (10)
Ministry of Health and Social Services	Conducts inspections and enforces laws related to child labor. Reports to police those cases in which children are found in exploitative labor situations. (3,10) Provides social services, including education, housing, counseling, and financial aid, to children in child labor cases. (10)
Police Force	Enforces criminal laws, including those related to child labor. (1,3)

#### 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

In 2020, the government funded and participated in programs that may contribute to preventing child labor (Table 4). However, gaps exist in these social programs, including with implementation.

**Table 4. Key Social Programs to Address Child Labor**

Program	Description
Basic Needs Trust Fund	Caribbean Development Bank-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. (12)
Education Trust Fund† and School Textbook Provision Scheme†	The Education Trust Fund is a government-funded program implemented by the Ministry of Education and Human Resource Development that provides financial assistance for textbooks, transportation, registration, and exam fees to students in secondary school who would otherwise be unable to complete their education. (13)
School Feeding Program†	Government-funded program implemented by the Ministry of Education and Human Resource Development that provides lunch to primary school students in targeted areas. (14)
Climate Resilience Agency of Dominica (CREAD) and Climate Resilience Act	Launched in 2018 in partnership with the Clinton Foundation, CREAD funds, designs, procures, implements, and coordinates climate resilience projects, which include rebuilding and repairing major roads and infrastructure, including approximately 20 schools and 27 health facilities damaged by Hurricane Maria in 2017, and providing support for 8,500 farmers across the island. (15-17) Research was unable to determine whether activities were undertaken to implement CREAD during the reporting period.
Chances†	Government-funded program implemented by the Ministry of Youth Development and Empowerment, Youth at Risk, Gender Affairs, Seniors Security and Dominicans with Disabilities 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. (1,10,18,19)

† Program is funded by the Government of Dominica.

The Organization of Eastern Caribbean States and UNICEF published a National Child Protection Action Plan effective through early 2021 to guide the implementation of recommendations for Dominica's child justice framework. Research was unable to determine whether Dominica has completed the recommendations or adopted the action plan. (1-3)

Although the government had social programs in 2020 that could address child labor, research was unable to determine whether activities were undertaken to implement the programs during the reporting period. (2,3)

# Dominica

## NO ADVANCEMENT

### 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 Dominica (Table 5).

**Table 5. 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 – 2020
	Ensure that the minimum age for hazardous work is age 18 for all children.	2015 – 2020
	Determine and codify the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2018 – 2020
	Criminally prohibit forced labor.	2019 – 2020
	Criminally prohibit domestic child trafficking.	2019 – 2020
	Enact legislation to specifically prohibit using, procuring, or offering a child for the production of pornography or pornographic performances.	2011 – 2020
	Prohibit the use of children in illicit activities, including the production and trafficking of drugs.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, including members of the Kalinago community who are vulnerable to the worst forms of child labor, by ensuring access to secondary education within the Kalinago territory.	2018 – 2020
	Adopt a national policy to improve Dominica's child justice framework as recommended by the National Child Protection Action Plan published in 2018 by the Organization of Eastern Caribbean States and UNICEF.	2020
	Publish activities undertaken to implement social programs to address child labor during the reporting period.	2020

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# Dominican Republic

MODERATE ADVANCEMENT

In 2020, the Dominican Republic made moderate advancement in efforts to eliminate the worst forms of child labor. The government established the Oportunidad 14–24 program, with the aim of reintegrating high-risk and socially vulnerable adolescents and young people into technical or vocational education and training programs. To address the education challenges produced by the COVID-19 pandemic, the government procured 800,000 tablets and laptops to facilitate instruction, as well as distributed booklets with academic content and activities to nearly two million students. The Attorney General's Office also obtained three convictions against individuals for criminal violations related to the worst forms of child labor. However, children in the Dominican Republic are subjected to 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. Labor inspectors also lack the authority to assess penalties for violations related to child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Dominican Republic are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-5) Children also perform dangerous tasks in agriculture. (6-8) Table I provides key indicators on children's work and education in the Dominican Republic.

**Table I. Statistics on Children's Work and Education**

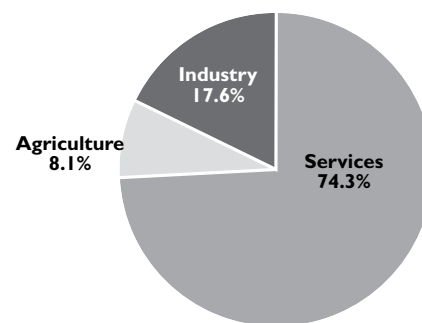
Children	Age	Percent
Working (% and population)	5 to 14	1.0 (17,999)
Attending School (%)	5 to 14	95.8
Combining Work and School (%)	7 to 14	1.1
Primary Completion Rate (%)		93.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (9)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Fuerza de Trabajo (ENFT), 2016. (10)

These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, or age range surveyed. (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† (11-13)
	Producing coffee, cocoa, rice, tomatoes, bananas, beans, corn, garlic, onions, and potatoes (3,14-19)
	Fishing† (15,20)
Industry	Producing baked goods (6,16)
	Construction,† activities unknown (3,5,8)
Services	Street work, including vending,† shoe shining, begging, washing car windows, and transporting packages in markets (1,3,5,15,16,19-22)
	Working in beauty salons, restaurants, bars,† and coffee shops (6,23)

# Dominican Republic

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Working in woodworking shops, auto repair shops, and welding shops (3,8,14,16,21)
	Scavenging in landfills (16,21,24)
	Domestic work (1-3,5,6,16,22)
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 (3,19,25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-3,5,26,27)
	Use in illicit activities, including drug trafficking, sometimes as a result of human trafficking(3,19,5)

† 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 the Dominican Republic are victims of commercial sexual exploitation, particularly in tourist locations and major urban areas. (28) In addition, the Dominican Republic is a destination country for child sex tourists primarily from Northern America and Europe. (29) The porous border between Haiti and the Dominican Republic has allowed some Haitian children to be trafficked into the Dominican Republic, where they are subjected to commercial sexual exploitation and forced to work in domestic work, street vending, or begging. (1,2,5,21,30-33) Some children, including Haitian children and Dominican-born children of Haitian descent, work in agricultural production, often alongside their parents, and live in communities that frequently lack basic services, including schools. (26,34,35) Large populations of children, primarily Haitians or Dominicans of Haitian descent, live on the streets and were particularly vulnerable to trafficking. During the reporting period, the government noted an increase in domestic trafficking victims, specifically children, brought from the interior of the country to coastal tourist areas. (29)

Many Dominican-born persons of Haitian descent, including children, continue to remain in undocumented status because of a 2010 constitutional change and a 2013 Constitutional Tribunal Judgement. (36) These changes retroactively revised the Dominican Republic's citizenship transmission laws, by declaring that all persons born after 1929 to non-citizens in the Dominican Republic were not eligible for citizenship. As a result, thousands of people had their citizenship revoked, most of which were children of Haitian descent. (28,36) Afterwards, the government established new legal provisions aimed at providing legal pathways for these individuals to regularize their immigration status in the country. Yet, many of those of Haitian descent affected by the changes have been unable to obtain legal residency documents or have their citizenship reinstated. (28,36) Approximately 26,000 of an estimated 135,000 Dominican-born individuals affected by the change in law, most of whom are of Haitian descent, had their citizenship reinstated as of December 2019. (28,36,37) The government has also issued identity documentation, but not yet citizenship, to approximately 8,700 people who could prove they were born in the Dominican Republic prior to 2013 but had never registered their birth. (36,38,39) During the reporting period, the outgoing President issued a presidential decree naturalizing 749 of these individuals, nearly all of them minors, but the government has not yet brought the decree into effect. (40) In addition, thousands of other applicants remain trapped in legal limbo. Although their cases have been approved, the government has not yet issues a decree finalizing the naturalization process. (40) Due to the slow implementation of the program, coupled with response measures for the COVID-19 pandemic, many applicants have seen their interim identity and residency documents expire. (40) Local NGOs report that the applicants are often unable to renew their documents due to government office closures, high fees, and a requirement to present a foreign passport despite the fact that these applicants are Dominican-born. Individuals with expired documents are at heightened risk of labor and commercial sexual exploitation. (40) Some Dominican-born children of Haitian descent have been deported. (41) 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 these children may be denied access to education or may be engaged in child labor, including its worst forms, because labor inspectors may not be able to verify their ages. (1,3,4,24,30,42,43) 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. (44)

During the reporting period, due to the pandemic, public schools were entirely closed from March to November. In November, instruction moved to a remote and virtual format for the remainder of 2020. (19) To continue providing schooling for children during the pandemic, the government developed several initiatives, such as: procuring 800,000 tablets and laptops to facilitate instruction, as well as the use of television, radio, and take-home workbooks to reach students without access to computers or internet. Even with all these initiatives, the government was still unable to reach all the children who lost access to education due to the change to a remote learning environment as a result of the pandemic. (19)




National law guarantees free public education, requires that all children attend school until age 14, and prohibits the exclusion of children from the educational system based on a lack of identity documents. (45-48) 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. (49) 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 reissued a directive to public schools, noting that 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. (18,49-52) Research did not identify cases of children without identity documents being denied access to education during the reporting period. (19) 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. (53) 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. (54,55)

Teacher shortages and a lack of school infrastructure create barriers to accessing education in the Dominican Republic. (19) In addition, a high percentage of students drop out at the primary and secondary levels. (2,36,56-58) 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. (2,36,56-58)

## 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 armed groups.

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**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 System and Fundamental Rights of Boys, Girls, and Adolescents; Article 56.1 of the Constitution (45,46,59)
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 (35,59)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–3 of the Resolution on Hazardous Work for Persons Under Age 18 (35)
Prohibition of Forced Labor	No		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 System and Fundamental Rights of Boys, Girls, and Adolescents; Articles 40–41 and 62.2 of the Constitution (45,60,61)
Prohibition of Child Trafficking	No		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 System and Fundamental Rights of Boys, Girls, and Adolescents; Article 41 of the Constitution (45,60,61)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 25 and 408–411 of the Code for the Protection System and Fundamental Rights of Boys, Girls, and Adolescents; Article 3 of the Law Against Migrant Smuggling and Trafficking in Persons; Article 24 of the Law on Technological Crime; Article 56.1 of the Constitution (45,46,60,62)
Prohibition of Using Children in Illicit Activities	Yes		Article 85 of the Law on Drugs and Controlled Substances (63)
Minimum Age for Voluntary State Military Recruitment	Yes*	18	Articles 26 and 96–97 of the Organic Armed Forces Law (64)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Articles 96–97 and 231–232 of the Organic Armed Forces Law (64)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	14‡	Article 63 of the Constitution; Articles 33, 35, 37, and 40 of the Organic Law of Education (47,61)
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 System and Fundamental Rights of Boys, Girls, and Adolescents (45,47,48,61)

\* No conscription (64)

‡ Age calculated based on available information (47,61)

On December 21, the National Congress approved a new law prohibiting child marriage. Although this law does not directly address child labor issues, it is expected to indirectly assist in prevention efforts, because some reports indicate that child marriage has been used in recent years as a cover for children subjected to labor and commercial sexual exploitation. (19,29)

Laws related to forced labor are not sufficient because they do not criminally prohibit forced labor except when it results from human trafficking. (45,60,61) In addition, the prohibition against child trafficking is insufficient because it requires threats, the use of force, or coercion to be established for the crime of child trafficking under the Law Against Migrant Smuggling and Trafficking in Persons; and although the Code for the Protection System and Fundamental Rights of Boys, Girls, and Adolescents criminally prohibits accepting, offering, or transferring children without requiring threats, the use of force, or coercion as an element, it does not criminally prohibit the recruitment or harboring of children. (45,60)

### 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 enforcement agencies 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. Refers children found in exploitative conditions to social services, mainly the National Council for Children and Adolescents. (21,36,65)
Office of the Attorney General	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, which receives notifications of alleged violations related to the worst forms of child labor through a hotline. (4,26,30,66,67)
National Police's Trafficking in Persons Unit and the Directorate of Migration	Enforces criminal laws, including those prohibiting the worst forms of child labor; and coordinates with the Office of the Attorney General in the prosecution of perpetrators. Under the Ministry of the Interior. (15,26,30,66)
Specialized Corps for Tourist Safety	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. (26)
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 to raise awareness of child labor. (17,68) There are a total of 49 Local Vigilance Committees nationwide. (69-71)
National Council for Children and Adolescents	Develops and implements policies and programs to eradicate all forms of violence against children, including child labor; and improve the employability of young people. Coordinates with MT to protect children against labor exploitation and enforce labor laws. (36)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in the Dominican Republic took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor (MT) that may hinder labor law enforcement, including the authority to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$5.1 million (3)	\$3.9 million (19)
Number of Labor Inspectors	205 (3,37)	215 (19)
Inspectorate Authorized to Assess Penalties	No (59)	Yes (59)
Initial Training for New Labor Inspectors	Yes (3)	Yes (19)
Training on New Laws Related to Child Labor	N/A (3)	N/A (19)
Refresher Courses Provided	Yes (3)	Yes (19)
Number of Labor Inspections Conducted	76,405 (3)	41,953 (19)
Number Conducted at Worksite	76,405 (3)	41,953 (19)
Number of Child Labor Violations Found	30† (3)	15 (19)
Number of Child Labor Violations for Which Penalties Were Imposed	30† (3)	15 (19)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (19)
Routine Inspections Conducted	Yes (3)	Yes (19)
Routine Inspections Targeted	Yes (3)	Unknown (19)
Unannounced Inspections Permitted	Yes (59)	Yes (59)
Unannounced Inspections Conducted	Yes (3)	Unknown (19)
Complaint Mechanism Exists	Yes (3)	Yes (19)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (19)

† Data are from January 1, 2019 to November 30, 2019. (3)



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The MT was working at approximately 40 percent capacity during most of 2020 due to the countermeasures established to address the pandemic, which likely impacted the agency's ability to carry out its mandate. (19) The circumstances caused by, and surrounding, the pandemic led to a 41 percent decrease in the total number of labor inspections conducted in 2020 when compared to the previous year. (40) Moreover, the reported budget for the labor inspectorate in 2020 represented an approximate 23 percent decrease in funding from 2019, which might be reflective of budget cuts made all over the government due to the economic contraction induced by the pandemic. (19)

During the reporting period, the MT employed 215 full-time labor inspectors, which is an increase from 2019. (3) Even so, that number of labor inspectors is likely insufficient for the size of the Dominican Republic's workforce, which includes more than 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. (72-74) In 2020, a total of 41,953 labor inspections were conducted, representing approximately 195 inspections completed by each inspector. This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections. (19)

Labor inspectors are authorized to re-inspect worksites to ensure that violations are remedied. However, re-inspections occur less frequently and are more difficult, and less consistent, in remote rural areas. (59,75) In addition, evidence suggests that some inspection reports do not set a time frame for the remediation of the violations identified. (76)

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. (75) However, the MT indicated that improvements could be made with respect to how inspectors conduct interviews, ask follow-up questions, and use inspection data to strengthen the inspection system, to ascertain the ages of workers and guarantee that children under age 18 are not participating in dangerous or unhealthy work. Moreover, reports indicate that 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 hindered those inspections. (15)

During the reporting period, the MT reported that 266 children and adolescents were identified through labor inspections in rural and urban areas and were removed from child labor. (19) Research indicates that 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. (23,76) Research also indicates that substandard labor inspections, incomplete labor inspection reports, and a lack of prosecutorial resources have hindered the ability of the Office of the Attorney General (AG) to pursue prosecutions on criminal matters involving child labor issues. A formal referral mechanism allows the MT to refer child labor victims found during labor inspections to the National Council for Children and Adolescents for social services. (17,20)

The government did not provide information on the number of penalties imposed that were collected, whether routine inspections were targeted, and whether unannounced inspections were conducted for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, 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 allocating financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (19)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (19)
Refresher Courses Provided	Yes (3)	Unknown (19)
Number of Investigations	Unknown (3)	Unknown (19)
Number of Violations Found	0 (3)	Unknown (19)
Number of Prosecutions Initiated	0 (3)	Unknown (19)
Number of Convictions	Unknown (3)	3 (77)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (19)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (19)

The government did not provide comprehensive information on its criminal law enforcement efforts during the reporting period, but the AG indicated that in 2020 a total of eight cases of child labor and 41 cases of commercial sexual exploitation of minors were reported. The AG also reported three convictions against individuals for criminal violations related to the worst forms of child labor. (77) However, despite these efforts by the government, reports indicate that the capacity of enforcement agencies to identify, investigate, and prosecute criminal cases related to human trafficking is limited due to a lack of human and financial resources. (4,15,30,40,52) In addition, the lack of an appropriate case tracking system limits coordination between the MT and the AG. Reports also indicate that some cases referred to the AG by the MT are not subsequently investigated and prosecuted by the AG, which is partially due to this lack of coordination. (4,8,78) Moreover, research finds that the National Council for Children and Adolescents does not have the resources, facilities, and institutional capacity to meet the demand for services nationwide. (1,2,4,79)

#### 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	Develops policies, approves programs, and coordinates, monitors, and evaluates efforts to combat child labor in the Dominican Republic. Overseen by MT and comprises ministerial representatives, labor unions, private sector representatives, and NGOs. (21,36,80) Oversees the system for referring children found during inspections to appropriate social services. (3) Also comprises local steering committees in each province that meet to coordinate government efforts. The committee met 5 times during the reporting period, and 15 of the steering committees met multiple times for a total of 96 meetings. (19) In February 2020, 45 government officials attended a training to raise awareness on the prevention and eradication of child labor. (81) Its members participated in the launch of the campaign <i>Lanza tu Dardo contra el Trabajo Infantil</i> , a campaign designed to raise awareness about the issue of child labor in the country. (82)
Inter-Agency Commission Against Trafficking in Persons (CITIM)	Coordinates efforts to combat human trafficking and is responsible for developing and implementing national plans. Led by the Ministry of Foreign Affairs and comprises 14 government agencies, including MT and law enforcement agencies. (30,83) In 2020, CITIM functioned normally after moving its meetings online in response to the COVID-19 pandemic. In collaboration with the Ministry of Foreign Affairs, CITIM published its annual report of the government's efforts to combat human trafficking for the previous year. (40,84)
Social Policies Coordination Cabinet	Coordinates all social policies and conditional cash transfer programs, such as the Progressing with Solidarity (PROSOLI) program. Led by the Vice President. (15) Research was unable to determine whether the Social Policies Coordination Cabinet Coordinating Body was active during the reporting period.

In 2020, the government created the Cabinet for Children and Adolescents, with the aim to provide effective protection for the rights of children and adolescents, as well as promote their full personal and social development. Its objectives include establishing consensus, designing, and implementing policies on child marriage,

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adolescent pregnancy, and other problems affecting children and adolescents in the country. (85) Yet, there is no indication that the Cabinet functions as a coordinating mechanism to address child labor. Evidence suggests that the local and municipal committees of the National Steering Committee to Eliminate Child Labor face limitations in their coordination efforts due to a lack of financial resources to adequately carry out their mandates. (18)

### 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.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Strategic Plan to Eradicate the Worst Forms of Child Labor (2006–2020)	Identified the roles and responsibilities of government agencies and municipal representatives in eradicating the worst forms of child labor. Prioritized prevention, protection, assistance, and the progressive eradication of the worst forms of child labor. (15,86) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Strategic Plan to Eradicate the Worst Forms of Child Labor.
Roadmap Toward the Elimination of Child Labor in the Dominican Republic (2016–2020)	Aimed to eliminate child labor and set targets and indicators for poverty reduction, health, education, institutional coordination, awareness raising, and information sharing. (2,20,65,87) Research was unable to determine whether activities were undertaken during the reporting period to implement the Roadmap.
National Action Plan against Human Trafficking and Illicit Smuggling of Migrants (2017–2020)	Identified the roles and responsibilities of government agencies in preventing and combating trafficking in persons and assisting trafficking victims. In 2020, the government reported undertaking an assessment of this plan, as well as beginning to develop the subsequent plan, though this process is still ongoing. (40)
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. (88,89) Implemented by the Ministry of Education and supported by the World Bank. Research was unable to determine whether activities were undertaken during the reporting period to implement the Education Pact.
National Development Strategy 2030	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. (20,56,90) During the reporting period, the government continued to dedicate 4 percent of the nation's GDP to education as indicated by the National Development Strategy. (3,19,91)

In 2020, the National Institute of Migration of the Dominican Republic carried out a study on Boys, Girls, and Adolescents of foreign origin at risk of trafficking in the Dominican Republic. (77) In this study they explore the characteristics of the phenomenon of trafficking for purposes of sexual and labor exploitation. The study was conducted with the purpose of generating data to support the future creation of public policies, the study had not been published at the end of the reporting period. (77) However, despite these government efforts, an insufficient allocation of resources has slowed efforts to fully implement key policies related to child labor, including conducting planned activities in a timely manner. (1,92)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
PROSOLI†	Main poverty eradication strategy by the government that serves as the primary line of social protection action. Focuses on social intervention through the integration of conditional cash transfers, socio-educational support, and links with other government programs and services. (93) Seven components help articulate its actions: identification, comprehensive health, education, human training and citizen awareness, food security, nutrition and income generation, habitability and protection of the environment, and access to information and communication technologies. (93) Addresses families in vulnerable situations, particularly low-income families, with one of its goals being to increase children's school attendance and reduce child labor. (2,57,93,94) To carry out its mission, it has established several projects, among which is <i>Progresando Unidos</i> , which aims to strengthen interventions in provinces with a large number of households in extreme poverty. (95,96) In 2020, PROSOLI conducted induction workshops for new trainers, coordinators, regional directors, and operational staff to instruct them on its functioning and operation. (97) PROSOLI also contributed approximately \$35,000 dollars to the National Institute of Professional Technical Training as part of the initiatives undertaken to carry out the <i>Oportunidad 14–24*</i> program. (98) PROSOLI also sponsored the campaign <i>Ahora Más que Nunca Sin Trabajo Infantil</i> , as part of the annual celebration of World Day Against Child Labor. This campaign aimed to raise awareness in the country about child labor. (99)
<i>Oportunidad 14–24†*</i>	Aims at reintegrating high-risk and socially vulnerable adolescents and young people into technical or vocational education and training programs. It will provide adolescents and young people between ages 14 to 24 with limited resources access to technical professional training, scholarships, a monthly provision of raw food, and transportation to study centers. (100-103)
Extended School Day Program ( <i>Jornada Escolar Extendida</i> )†	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. (1,104) Research was unable to determine whether activities were undertaken during the reporting period to implement this program.
Line 700 Hotline‡	Office of the First Lady's free hotline to enable citizens to report cases of the worst forms of child labor. (105,106) Research was unable to determine whether activities were undertaken during the reporting period to implement this program.
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor, including <u>Project to Reduce Child Labor and Improve Working Conditions in Agriculture in the Dominican Republic (FORMITRA) (2017–2022)</u> , a \$5 million project implemented by ILO to support the efforts of the Government of the Dominican Republic to address child labor and strengthen labor law enforcement in agriculture. (108) During the reporting year, this project provided training to 68 individuals, including 61 labor inspectors, on fundamental principles and rights at work. (109) The training was administered by a Senior Technical Specialist from the ILO, and its main objective was to develop and strengthen the capacities of labor inspectors. In addition, the FORMITRA project assisted in developing a training program for labor inspectors in the country. (109) Additional information is available on the USDOL <a href="#">website</a> .

\* 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. (2,14,57,100,107,110,111)

In 2020, 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 eighth consecutive year. (1-3,8,19,20) In addition, in response to the pandemic, the Ministry of Education, through the technical guidance of UNICEF and financial support of USAID, was able to distribute booklets with academic content and activities to nearly 2 million students in public schools. The government also opened school buildings for food distribution activities during the pandemic. (19) 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 the agricultural sector. (1,2)

## 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 the Dominican Republic (Table 11).

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**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits forced labor.	2019 – 2020
	Ensure that laws prohibiting child trafficking do not require threats, the use of force, or coercion as elements of the crime.	2019 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice to provide adequate coverage of the workforce, especially in remote rural areas.	2009 – 2020
	Determine whether the inspection ratio for each labor inspector is appropriate to ensure the quality and scope of inspections.	2020
	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 – 2020
	Establish a system to verify the age of young workers to better protect children without birth certificates or other legal documentation from exploitation.	2012 – 2020
	Ensure that labor inspectors are able to communicate with Creole-speaking workers, including those who may be underage, to adequately conduct inspections for child labor violations.	2012 – 2020
	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 – 2020
	Publish comprehensive information on the number of child labor penalties imposed that were collected, if routine targeted inspections and unannounced inspections were conducted, as well as the training provided to criminal law enforcement, the number of criminal law enforcement investigations conducted, violations found, prosecutions initiated, and penalties imposed.	2009 – 2020
	Increase the human and financial resources to ensure adequate criminal law enforcement related to child labor.	2009 – 2020
	Improve coordination and case tracking systems between the Ministry of Labor and the Office of the Attorney General to ensure that violations are adequately investigated and prosecuted.	2013 – 2020
	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 – 2020
	Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.
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 – 2020
Government Policies	Take steps to implement the policies related to child labor on an annual basis and publish information about these efforts.	2020
	Ensure that appropriate funding exists to effectively implement and coordinate policies related to child labor.	2009 – 2020
Social Programs	Increase efforts to issue identity documents to all children to reduce their vulnerability to labor exploitation.	2011 – 2020
	Address the specific educational needs of vulnerable populations, including unaccompanied migrant children, children of parents who have been deported, and undocumented children.	2011 – 2020
	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 – 2020
	Update all Ministry of Education's school manuals to align with Dominican law guaranteeing that children without birth certificates or identity documents are able to enroll in schools, and ensure that all children receive diplomas certifying school completion.	2017 – 2020
	Ensure that all social programs are adequately funded, implemented, and report on their yearly efforts.	2020
	Expand social protection programs, particularly for child victims of commercial sexual exploitation and harmful agricultural work.	2010 – 2020



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In 2020, Ecuador made significant advancement in efforts to eliminate the worst forms of child labor. The Ministry of Economic and Social Inclusion provided assistance to approximately 11,530 children and adolescents vulnerable to child labor and the Attorney General's Office indicted 39 individuals for child labor crimes. In addition, the Technical Secretariat for the Lifetime Plan sent out technical brigades to remote areas in all provinces to assist with medical checkups and other social services for children. The Ministry of Labor also signed a Framework Agreement for Inter-Institutional Cooperation with the Association of Municipalities of Ecuador to implement public policies and programs aimed at the prevention and eradication of child labor. Finally, technical teams from the Ministry of Economic and Social Inclusion visited 8,425 families to help keep children in school despite the partial lockdown triggered by the COVID-19 pandemic. However, children in Ecuador are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in mining. The labor inspectorate continues to lack sufficient resources and children continue to face barriers to education, especially in rural areas.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ecuador are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in mining. (1,2) Table 1 provides key indicators on children's work and education in Ecuador.

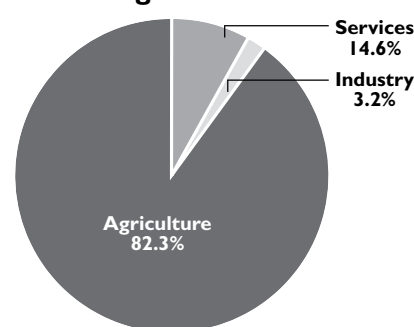
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	8.2 (302,796)
Attending School (%)	5 to 14	97.0
Combining Work and School (%)	7 to 14	8.9
Primary Completion Rate (%)		104.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's Analysis of Statistics from Encuesta Nacional de Empleo, Desempleo y Subempleo (ENEMDU), 2019. (4)

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



Although the National Council for Inter-Generational Equity worked closely with the Ministry of Economic and Social Inclusion (MIES) to complete a partial study on child labor that was published in early 2019, the government has not conducted a comprehensive nationwide child labor survey since 2012. Both government and civil society agree that a lack of updated statistics hampers efforts in eradicating child labor. (1,2,5)

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, coffee, cocoa, palm oil, and flowers, including the use of chemical products† and machetes† (1,2,6,7)
	Fishing† (1,2,6)
	Hazardous work in the carving† and threading† of <i>abacá</i> fiber(1,2,8)



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

Sector/Industry	Activity
Industry	Gold mining† and small-scale mining† (1,9)
	Production of bricks† (1,2)
Industry	Construction,† including loading construction materials, mixing materials to make concrete, and brickwork (1,2,6,10)
Services	Domestic work† (1,2,11)
	Street work, including begging, shoe shining, selling newspapers, and vending (1,12-14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,12,15)
	Use in illicit activities, including drug trafficking and robbery (1,5,16,17)
	Recruitment of children by Colombian non-state armed groups for use in armed conflict, sometimes as a result of human trafficking (9,16,17)
	Use in the production of pornography (1,2,16,18)
	Forced labor in banana and palm plantations, floriculture, mining; and in domestic work, street vending, and begging, each sometimes as a result of human trafficking (1,5,9,15,16,19,20)

† 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.

Civil society and government sources reported incidences of Peruvian adolescents being recruited under false promises of employment into forced labor in illegal mines in Ecuador. (9,18,21) Migrant and refugee children from Colombia and Venezuela are particularly vulnerable to street work, including forced begging. They 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. (1,2,9,12,16) Indigenous children between the ages of 6 and 10 from the highlands are victims of trafficking in forced begging in Guayaquil and Quito, initially under false promises of employment. (1,7,22)







Migrant and refugee children from other Latin American countries, girls from poor families, and indigenous and Afro-Ecuadorian girls are used in child prostitution. (1,2,15,17) Child prostitution in Ecuador also occurs near illegal mining sites. (1,2,10,22) Venezuelan, Colombian, and Peruvian girls are victims of sex trafficking in Ecuador. (1,2,12,17) Networks for commercial sexual exploitation, including sex trafficking, also recruit children from schools, and, increasingly, through social media platforms that encourage children to recruit their friends and classmates. (16,18) On Ecuador’s northern border, traffickers force children into criminality, recruiting them to engage in drug trafficking and robbery. (1,2,17)

Despite education being free in Ecuador, children face barriers to accessing education, including having to pay for uniforms and textbooks, lack of space and teachers, inadequate school infrastructure, teen pregnancy, and lack of transportation for children who must attend schools far from their homes. (1,2,9,23) The lack of schools in rural areas specifically affects indigenous and refugee children, who must travel long distances to attend school. (2,9) Many indigenous children abandon school early, both in rural and urban areas. (6) This situation worsened due to the COVID-19 pandemic, as all in-person education activities were canceled affecting an estimated 4.6 million students. These students were supposed to shift to an online distance-learning method but lack of access to Internet and electronic devices increased absentee and dropout rates, especially in rural areas. (2) Reports indicate that at least 100,000 children did not register for school for the 2020–2021 academic year, partially due to a lack of access to digital devices to continue remote education. (2) Reports indicate that as many as 65 percent of school-age Venezuelan refugee and migrant children are not enrolled in Ecuador’s educational system. While identity documents are not required for attending school, some local officials demanded these documents for processing enrollment applications for refugee and migrant children. (2,24)

## 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	✓
 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 (23,25)
Minimum Age for Hazardous Work	Yes	18	Article 87 of the Childhood and Adolescence Code (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 5, 6, and 8 of Resolution No. 016 of 2008; Article 5 of Ministerial Accord MDT-2015-0131 (26,27)
Prohibition of Forced Labor	Yes		Articles 82, 91, 105, and 213 of the Integral Penal Code (28)
Prohibition of Child Trafficking	Yes		Articles 47, 91, and 92 of the Integral Penal Code; Article 117 of the Organic Law on Human Mobility (28,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 91 and 100-104 of the Integral Penal Code (28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 47, 219, and 220 of the Integral Penal Code (28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Childhood and Adolescence Code; Article 161 of the Constitution (23,25)
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 (23,25,28)
Compulsory Education Age	Yes	15	Article 38, 42, and 43 of the Organic Intercultural Education Law (24)
Free Public Education	Yes		Article 4 of the Organic Intercultural Education Law; Chapter 5, Article 28 of the Constitution (23,24)

\* No conscription (23)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor (MOL)	Enforces child labor laws. Through the National Project to Eradicate Child Labor (PETI), monitors and identifies cases of child labor; assesses penalties; promotes public awareness campaigns to prevent child labor; provides technical assistance to local governments on child labor; and identifies victims of child labor for the Ministry of Economic and Social Inclusion (MIES) to provide social services. (2) Using the Unified System of Registration of Child Labor (SURT), collects information on child laborers and refers children to appropriate government services. (1,2)
Ministry of Social and Economic Inclusion (MIES), Office of Special Protection to Vulnerable Populations	Conducts routine inspections in the informal sector for child labor and provides remediation services to child laborers and their families. (1,9) Through its Office of Special Protection to Vulnerable Populations, maintains a national anti-child labor program involving coordination with civil society organizations and local governments. (1,2) Finances the activities of these organizations at the local level and focuses on familial child labor and child labor in the informal sector. (2)
Attorney General's Office (AGO)	Enforces criminal laws against child labor, hazardous child labor, commercial sexual exploitation, and human trafficking. (9,30) The AGO's Specialized Victim Witness Protection Program 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. (9)
Ministry of Government (MOG)	Oversees and evaluates all police actions, including the National Police Unit for Crimes against Children and Adolescents (DINAPEN). (9,21) DINAPEN investigates all crimes against children, including abuse, sexual exploitation, sex tourism, smuggling, kidnapping, exploitative child labor, and forced labor. (9,31) DINAPEN's National Investigative Unit against Trafficking in Persons and Illicit Smuggling of Migrants also investigates child trafficking cases, assists victims, and arrests traffickers. (32)
Office of the Prosecutor	Tries cases related to the worst forms of child labor. (1)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Ecuador took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (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	2019	2020
Labor Inspectorate Funding	\$4,171,420 (1)	\$2,874,793 (2)
Number of Labor Inspectors	214 (1)	160 (2)
Inspectorate Authorized to Assess Penalties	Yes (33)	Yes (2,33)
Initial Training for New Labor Inspectors	Yes (1)	Yes (2)
Training on New Laws Related to Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (2)
Number of Labor Inspections Conducted	25,280 (1)	7,559 (2)
Number Conducted at Worksites	25,280 (1)	7,559 (2)
Number of Child Labor Violations Found	53 (1)	6 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (1)	3 (2)
Number of Child Labor Penalties Imposed that Were Collected	7 (1)	3 (2)
Routine Inspections Conducted	Yes (1)	Yes (34)
Routine Inspections Targeted	Yes (1)	Yes (2)
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Yes (1)	Yes (2)
Complaint Mechanism Exists	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (2)

As of November 2020, officials conducted 284 inspections specifically related to child labor complaints, though the overall number of inspections was greatly reduced due to nationwide mobilization restrictions under the pandemic. (2) Officials from the National Project to Eradicate Child Labor (PETI) also accompanied labor inspectors for 3,845 verifications and labor inspections not specific to child labor to determine whether companies were hiring children. During these verifications, PETI officials also provided technical advice on current

legal regulations and the process of hiring adolescents between 15 and 17 years of age in permitted activities. (2) MOL officials reported the identification of 346 children in child labor conditions in 2020 as a result of labor inspections, though they did not provide information on how many children were removed from child labor situations. (2) MIES also reported it had assisted approximately 11,530 children and adolescents vulnerable to child labor. (2)

In 2020, there were 160 labor inspectors in the country, a decrease of 54 inspectors from 2019. There are also no inspectors in the country dedicated only to child labor issues. (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 technical advice of 1 inspector for every 15,000 workers in developing economies, Ecuador would employ about 534 labor inspectors. (1,2,35,36) During the reporting period, there was also a significant reduction in the amount of funding dedicated to the labor inspectorate. This reduction in funding was due to government-wide budget cuts prompted by the pandemic. (2) MOL acknowledged that this sort of unannounced budget cuts complicated their planning and program execution efforts during the reporting year. (2) Research also indicates that inspectors' coverage of the agricultural sector is insufficient, even though most children work in this sector. (9)

The MOL also reported that the labor inspectorate lacked the necessary resources, such as transportation and equipment, to fulfill its mandate. (1) Furthermore, inspectors do not have sufficient knowledge of child labor laws and lack training on identifying victims of trafficking in persons. (1,16,18) According to the MOL, Ecuador's labor inspectors focus primarily on formal sector employment. (1,37) 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. (2,9,37)

The government does not publish information from the Unified System of Registration of Child Labor (SURT). (9,18)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Ecuador 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 training for criminal investigators on the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (34)
Number of Investigations	172 (1)	330 (2)
Number of Violations Found	Unknown (1)	Unknown (2,34)
Number of Prosecutions Initiated	103 (1)	277 (2)
Number of Convictions	Unknown (1)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (2)

In 2020, the Ministry of Government (MOG) conducted various trainings for investigators in the context of broader trafficking in persons trainings, but they did not conduct specific child labor-related trainings. (2) The State's Attorney General executed several virtual and in-person training sessions through the Directorate of Training and Mission Strengthening during the reporting period. In February and March, officials offered training on conducting specialized forensic interviews with minors and sexual violence victims. (2) In total, 49 prosecutors and support staff attended. (2) In August and November 2020, officials taught the advanced course on children and adolescents' rights online, emphasizing the border population. Nine public officials participated from the provinces of Carchi and Esmeraldas. (2)

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During the reporting period, MOG's Human Trafficking Investigation Unit investigated 16 cases of trafficking in persons for sexual exploitation and one for labor exploitation. The National Police Unit for Crime against Children and Adolescents (DINAPEN) investigated six cases regarding forced labor or other forms of labor exploitation and one case of trafficking for labor exploitation. (2) In addition, DINAPEN's Child and Adolescents Protection Unit reported 43 new investigations in 2020, including 7 for trafficking in persons for sexual exploitation and 1 for labor exploitation. No information on the number of victims was available to be included in this report. (2) The Attorney General's Office reported that 39 individuals were indicted for child labor crimes. However, the government did not provide information on the exact number of violations found and convictions made for the worst forms of child labor in 2020 for inclusion in this report. (2) Additionally, the Specialized Victim Witness Protection Program rescued six minors from trafficking related to sexual exploitation through November. It also provided social services to 20 children in 2020 in the provinces of Sucumbios, Pichincha, Napo, El Oro, Azuay, Guayas, and Tungurahua. (2)

The Attorney General's Office reported that the budget allocated to SPAVT between 2014 and 2020 decreased consistently, from \$1,165,259 in 2014 to \$256,916 in 2020. (2) Civil society reports that the National Investigative Unit and DINAPEN lack resources to adequately investigate trafficking in persons cases. (32)

A reciprocal referral mechanism exists between law enforcement and social services for victims of human trafficking; however, civil society reports that the mechanism is at times ad hoc. (1,2) Shelters serve only girls who have been victims of sex trafficking. There are no specialized shelters for boys or girls who have been victims of labor trafficking. (15) Although the MIES will generally assign child victims to shelters depending on space availability, the National Investigative Unit and MIES officials cite a lack of shelters in many provinces as a primary constraint in victim assistance. (1,9,16,31,38)

## 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 for 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. Includes participation from MOL, DINAPEN, AGO, and MIES. (9,21) Regional inter-agency sub-committees on children and adolescence represent local governments on the committee. (1) Although research was unable to determine whether the national coordinating body was active during the reporting period, 40 regional inter-agency committees were active in 2020 and continued to report cases of child labor to MOL via SURTI. (2)
Inter-Institutional Coordinating Committee for the Prevention of Trafficking in Persons and Illicit Traffic in Migrants	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, which has since been updated. (30) Met periodically in 2020 to coordinate government anti-trafficking in persons efforts, including child trafficking. This committee continued implementing an updated National Plan to Combat Human Trafficking in 2020, and MOG continued chairing this coordinating mechanism. (2)
Technical Secretariat for the Lifetime Plan	Convenes government ministries to discuss issues, including child labor. (39) During the reporting period, it sent out technical brigades to remote areas in all provinces of the country to assist vulnerable populations, including children, and provided them with medical checkups, along with other basic social services. (2)
National Council for Inter-Generational Equity (CNII)	Coordinates inter-agency efforts to protect vulnerable populations, including children. Local autonomous governments also participate in coordinating mechanisms to combat child labor and implement the guidelines provided by CNII and are responsible for ensuring the correct application of norms related to child labor. (39) Although research was unable to determine activities taken by the National Council during the reporting period, local autonomous governments continued to monitor and assist children in child labor conditions through their technical working groups in 2020. (2)
Inter-Agency Sub-Committee for the Eradication of Child Labor ( <i>Mesa Interinstitucional de Erradicación del Trabajo Infantil</i> )	Coordinates regional efforts to address child labor. (40) Participants include MIES; regional councils of Childhood and Adolescence; ministries of Education, Labor, and Interior; DINAPEN; and AGO. (38,40) Research was unable to determine whether this coordinating body was active during the reporting period.



Coordination between ministries providing social services has improved in recent years, but the government continues to have difficulties ensuring that some children rescued from working in the informal sector receive adequate social assistance. (41,42)

## 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 the approval of the national action plan on child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Project to Eradicate Child Labor (PETI) (2015–2017)	Establishes a strategy to eradicate child labor in Ecuador by 2021 and prevent hazardous child labor in agriculture, manufacturing, construction, and mining. Led by MOL, the plan operates under the National Plan for Good Living. (6,9,43) A new 3-year national plan to eradicate child labor is still awaiting executive approval, which is reportedly needed to improve inter-agency coordination. Although implemented by MOL as a pilot initiative, PETI operates without a permanent budget guaranteeing a dedicated agency in charge of efforts to combat child labor. (1) As of the time of this report, MOL and the other agencies involved in eradicating child labor continued to work under this policy. (2)
National Action Plan to Combat Trafficking in Persons (2019–2030)	Aims to prevent, investigate, and impose legal sanctions against human trafficking with a focus on human rights, mobility, and gender, as the majority of victims in Ecuador are women. Launched in December of 2019, it includes U.S.-funded support through the IOM, it is the government's first multi-sectoral plan on trafficking that establishes goals for every public sector institution to address human trafficking. (44-46) In 2020, several initiatives were carried out under this policy, including MIES' launch of the National Strategy for Prevention, Care and Protection of People in Situations of Begging, Child Labor, Street Dwellers and Other Rights Violations. (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. (18,47) Led by the Technical Secretariat for the Lifetime Plan. (48) In 2020, remained the government's signature social program to assist vulnerable populations, including children. (2)

In 2020, the MOL signed a Framework Agreement for Inter-Institutional Cooperation with the Association of Municipalities of Ecuador for the implementation of public policies, plans, programs, and actions aimed at the prevention and eradication of child labor. (2)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (49) As a public-private partnership, it aims to exchange best practices and design strategies towards the progressive eradication of child labor among industries and their value chains. The program focuses on three geographic hubs in Azuay, Pichincha, and Guayas provinces. (2) In 2020, the network executed the “Train of Dreams, Return to Classes” project to adapt to new virtual educational realities during the pandemic. (2) The project benefitted 205 children previously removed from child labor by local NGO Miners of Dreams, providing the children with access to digital resources to facilitate their continued education virtually. (2)
National Program to Combat Child Begging†	Seeks to raise awareness about child begging and aims to facilitate social services for children begging in the streets. (9) The government did not provide information on activities undertaken to implement this program in 2020 for inclusion in this report.
<i>Palma Futuro</i> (2019–2022)	\$6 million regional project funded by the U.S. Department of Labor and implemented by Partners of the Americas to improve the implementation of social compliance systems that prevent and reduce child labor and forced labor in palm oil supply chains. (50) In 2020, activities continued in Santo Domingo de las Tsachilas. (2) For additional information, please see our <a href="#">website</a> .

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

Program	Description
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. (9) The government did not provide information on activities undertaken to implement this plan in 2020 for inclusion in this report.

† 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. (9,42,51-53)

In 2020, technical teams from MIES visited families to raise awareness on the importance of school attendance and other typical childhood activities essential to the integral development of children. These teams usually comprise a psychologist, social worker, and a protection service specialist. (2) Through June 2020, they visited 8,425 families to help keep their children in school despite the partial lockdown triggered by the pandemic. MIES also delivered financial protection bonuses to families due to the additional economic hardships faced during the first stages of the pandemic. (2) In total, 950,000 people benefited from these government programs through June. (2) In addition, the government sustained funding levels under its "Toda Una Vida" social program and continued to publicly highlight its social brigade activities during the reporting period despite budget cuts across the public sector. These initiatives also included an expansion of monthly social payments between April and June while the government imposed mandatory lockdowns to combat the pandemic. (2)

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. (9) While the government used the social registry to provide additional social assistance payments to vulnerable families during the pandemic, research found that the registry had not been updated since 2015 and some of the most vulnerable families may have been overlooked for those payments. Civil society notes that an update to the social registry should prioritize the most vulnerable populations at risk of child labor—single mothers with more than one child. (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	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Ensure that the labor inspectorate is properly funded so that inspectors receive sufficient resources, including transportation and equipment, 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 – 2020
	Ensure that labor inspectors have sufficient knowledge of existing laws, penalties, processes, and training in victim identification to conduct inspections and refer victims to social services.	2015 – 2020
	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 – 2020
	Publish information on the number of criminal violations found and convictions of crimes related to the worst forms of child labor.	2019 – 2020
	Ensure that criminal investigators, including the National Police Unit for Crimes against Children and Adolescents and the Specialized Victim Witness Protection Program, receive sufficient resources to investigate cases of the worst forms of child labor and refer victims to services.	2019 – 2020
	Ensure that investigators receive sufficient resources, including shelters for victims, to investigate cases of the worst forms of child labor and refer victims.	2016 – 2020
	Strengthen the provision of specialized services for victims of human trafficking.	2018 – 2020

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that key coordinating committees and councils, including the Inter-Institutional Committee for the Eradication of Child Labor, the Inter-Agency Sub-Committee for the Eradication of Child Labor, and the National Council for Inter-Generational Equity convene and undertake activities on a regular basis to address the worst forms of child labor.	2019 – 2020
	Strengthen coordinating mechanisms among ministries providing social services to victims of child labor, especially in the informal sector.	2015 – 2020
Government Policies	Update the National Plan to Eradicate Child Labor to ensure adequate funding for implementation and effective inter-agency coordination.	2019 – 2020
	Transition the National Plan to Eradicate Child Labor from its original pilot project status to a permanent directorate with a permanent budget.	2020
Social Programs	Conduct a comprehensive child labor survey so that there is sufficient data to inform government actions to eliminate child labor.	2018 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children, including indigenous and refugee children and children from rural areas, by increasing classroom space and teachers, addressing teen pregnancy issues, and providing adequate transportation.	2014 – 2020
	Enhance efforts to address exploitative labor practices and labor trafficking of migrant and refugee children.	2018 – 2020
	Ensure that children of refugees and migrants have full access to education.	2018 – 2020
	Ensure that all social programs that address child labor, including the National Program to Combat Child Begging and Youth Impulse, are active and publish information on activities taken during the reporting period.	2019 – 2020
	Ensure that social programs make interventions in sectors in which child labor is most prevalent, specifically in the informal and agricultural sectors.	2018 – 2020
	Ensure that the social registry includes families most vulnerable to child labor by updating the list of recipients of social assistance.	2020

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In 2020, Egypt made moderate advancement in efforts to eliminate the worst forms of child labor. The government announced \$50 million in additional funding to support the Takaful and Karama program, which allowed the provision of cash assistance to 309,748 new families to support school attendance for their children. On November 10, 2020, the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons launched the second phase of its "Together Against Human Trafficking" awareness campaign in partnership with the International Organization for Migration. The campaign included a public service announcement featuring prominent Egyptian celebrities that was broadcast on television and displayed on billboards and buses. Additionally, the Ministry of Manpower approved a new action plan for implementing the Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa program. However, children in Egypt are subjected to 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, and 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in quarrying limestone. (I-3) Table I provides key indicators on children's work and education in Egypt. 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	4.9 (Unavailable)
Attending School (%)	5 to 14	80.9
Combining Work and School (%)	7 to 14	5.2
Primary Completion Rate (%)		104.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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 cotton (2,6-10)
	Caring for livestock (10,12-14)
	Fishing, activities unknown (13,15)
Industry	Quarrying† limestone (1,2,6)
	Making bricks (1,2,6,16,17)
	Working in carpentry workshops (13,18)
	Working in marble workshops (19,20)
	Construction, activities unknown (6,10,17,21)
Services	Domestic work (2,6,14,17,22)
	Driving tuktuks (2,6,23,24)
	Repairing automobiles (2,6,25)



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

Sector/Industry	Activity
Services	Street work, including selling goods and collecting garbage (2,7,21,26)
Categorical Worst Forms of Child Labor‡	Domestic work as a result of human trafficking (2,3,15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,6,27,28)
	Forced begging, sometimes as a result of human trafficking (2,3,6)
	Trafficking of drugs, sometimes as a result of human trafficking (3,28)

† 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.

Egyptian children are exploited in forced labor, domestic service, street begging, drug trafficking, quarrying, and agricultural work in Egypt. (3) Some children are forced by their immediate and extended families into sexual exploitation, begging, and domestic and factory labor. (3,28) In addition, some girls are subjected to commercial sexual exploitation under the pretext of temporary marriage, sometimes called "summer marriage," to wealthy foreign men, mostly from Persian Gulf countries. (2,6,27) Egyptian children—particularly from Fayoum and Damietta—are transferred to Europe, where they are exploited in bonded child labor, commercial sexual exploitation, and drug dealing. (2,3,10,29)







Children in Egypt face barriers to education, including access to identity documentation and associated costs of attending school. Enrolling in public school requires a certified birth certificate, which many children born out of wedlock in Egypt lack. (2) Children drop out of school because of school-related costs, such as educational supplies, transportation, clothing, and food. (2,9,13,15) A lack of qualified teachers, poorly maintained schools, sanitation issues, classroom density, lack of infrastructure, and violence in schools also prevent children from attending school. (2) In rural communities, children face difficulties due to long commuting distances. Girls face additional barriers to education, especially in rural Egypt, including harassment and violence at school and on the way to school, as well as cultural barriers. (2,15,30)

The government offers refugee children access to the public education system; however, refugee children are subjected to racism, violence, and bullying. In response, some non-Egyptians residing in the country, such as those from Sudan, South Sudan, and Syria, have organized independent school systems unaffiliated with the government for their children. (2,31) Only 39,000 of the more than 150,000 Syrian children in Egypt are officially registered with the Egyptian public school system. (31)

## 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 some forms of hazardous work such as brickmaking.

**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 (32)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Ministry of Manpower's Decree 118 (33)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 1–2 of Ministry of Manpower's Decree 118 (33)
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 (32,34,35)
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 (32,34,35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		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 (32,35,36)
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 (32,33,37)
Minimum Age for Voluntary State Military Recruitment	No	15	Ministry of Defense Guidelines on Youth Volunteers in the Armed Forces (38)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of the Law on Military and National Service (39)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 7-bis(b) of the Child Law (32)
Compulsory Education Age	Yes	15‡	Article 59(1) of the Child Law; Articles 80 and 238 of the Constitution (32,34)
Free Public Education	Yes		Article 54 of the Child Law (32)

‡ Age calculated based on available information (40,41)

The law prohibits hazardous occupations and activities for children, including in quarrying, tanning, welding, spraying pesticides, and carrying heavy loads. (33) 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. (2,16)

### 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 authority of enforcement agencies 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 through its inspection department, including receiving and investigating child labor complaints. Inspectors conduct labor inspections and report violations to the police, which operates under the Ministry of Interior. (2,6) If police investigations confirm criminal activity, cases are subsequently sent to the Prosecutor General's Office, which operates under the Ministry of Justice. (6,2)
Ministry of Interior	Investigates human trafficking and commercial sexual exploitation of children. Reports violations to the Public Prosecution Office under the Prosecutor General's Office. (2,6)
Ministry of Justice, Prosecutor General's Office	Prosecutes violation of laws related to the worst forms of child labor and human trafficking. (2,6)
Ministry of Local Development	Provides administrative and logistical support for the enforcement of child labor laws. Administers the Child Protection Committees. (2,6)
Administrative Control Authority	Investigates government corruption and human trafficking, and reports violations to the Ministry of the Interior, which refers cases for prosecution. (2,42)

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### Labor Law Enforcement

In 2020, 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 the authority to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (6)	Unknown (2)
Number of Labor Inspectors	Unknown (6)	Unknown (2)
Inspectorate Authorized to Assess Penalties	No (6)	No (2)
Initial Training for New Labor Inspectors	Unknown (6)	Unknown (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (6)	Yes (2)
Number of Labor Inspections Conducted	Unknown (6)	Unknown (2)
Number Conducted at Worksite	Unknown (6)	Unknown (2)
Number of Child Labor Violations Found	Unknown (6)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (6)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (6)	Unknown (2)
Routine Inspections Conducted	Yes (6)	Unknown (2)
Routine Inspections Targeted	Yes (6)	Unknown (2)
Unannounced Inspections Permitted	Yes (6)	Yes (2)
Unannounced Inspections Conducted	Yes (6)	Unknown (2)
Complaint Mechanism Exists	Yes (6)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (6)	Yes (2)

In 2020, the Ministry of Manpower trained 527 labor inspectors in occupational safety and hazard laws and regulations. In addition, the ILO in Egypt trained 140 inspectors on conventions against child labor, international laws, and regulations as part of the Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa (ACCEL Africa) project. (2) These trainings took place throughout the country, including in Alexandria, Beheira, Fayoum, Sharkia, and Kafr al-Sheikh governorates. The ACCEL Africa Project also provided refresher courses for 240 Egyptian labor inspectors. (2) However, sources report that the number of inspectors receiving training on child labor policies was insufficient to deal with the scope of the problem. Moreover, labor inspectors in Egypt do not have the authority to inspect informal workplaces, leaving children working outside of the formal economy vulnerable to exploitation. (2)

Although the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Egypt would employ about 1,607 labor inspectors because its workforce consists of more than 24.11 million workers. (43-45)

The government did not provide information on its labor law enforcement efforts for inclusion in this report. (2)

### Criminal Law Enforcement

In 2020, 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 in referring child victims to social services.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (6)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (46)	Unknown (2)
Number of Investigations	Unknown (6)	Unknown (2)

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

Overview of Criminal Law Enforcement	2019	2020
Number of Violations Found	Unknown (6)	Unknown (2)
Number of Prosecutions Initiated	Unknown (6)	Unknown (2)
Number of Convictions	Unknown (6)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (6)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (6)	Yes (2)

In 2020, Egypt investigated 156 trafficking cases, including 365 victims, 242 of whom were children. The government also secured convictions for child traffickers, including two individuals in Fayoum governorate for trafficking children abroad to work, two individuals for attempting to sell their 15-year-old sister into a temporary marriage, and six individuals for exploiting children in sexual trafficking and begging. (28)

The government did not provide information on its criminal law enforcement efforts specific to the worst forms of child labor for inclusion in this report. (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 efficacy in accomplishing mandates.

**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. (47) Identifies and monitors at-risk children. Manages two 24-hour hotlines and receives reports of child labor and child trafficking. (15) During the reporting period, received a portion of a \$1,250,000 grant to upgrade its hotlines, which included increasing receiving and processing capacity and adding services for migrant children. (28) In 2020, participated in a meeting of the National Steering Committee for the National Action Plan for Combating the Worst Forms of Child Labor and Supporting Families. (2) In January 2020, NCCM instituted standard operating procedures for child protection cases, including cases of child trafficking. (3)
National Steering Committee for the National Action Plan to Eliminate the Worst Forms of Child Labor and Supporting Families	Coordinates efforts to implement the National Action Plan to Eliminate the Worst Forms of Child Labor and Supporting Families. Membership includes the ministries of Manpower, Social Solidarity, Education, Agriculture, Interior, Planning, Finance, Investment and International Cooperation, Trade, Justice, Health, Local Development, and Awqaf, in addition to NCCM, the National Council of Women, the Central Agency for Population and Statistics, the National Media Agency, and Al Azhar University. (2,6) In July 2020, the committee held its second meeting ever, which was co-chaired by the Ministry of Manpower and ILO and included 25 representatives from domestic agencies and international organizations, to assess progress made on the National Action Plan and to plan future activities. Among the meeting outcomes were a ministerial decree to institutionalize the committee, a unified list of 2021 priorities, and plans to conduct trainings and further cooperate with the Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa (ACCEL Africa) project. (2)
National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons (NCCPIM and TIP)	Coordinates efforts to combat human trafficking. (48) Led by an ambassador appointed by the Prime Minister, comprises 29 government entities, including the ministries of the Interior and Manpower. (15) Reports indicate that NCCPIM and TIP's mandate being limited to the handling of two crimes—illegal immigration and trafficking—hinders its ability to raise awareness about trafficking as a distinct crime and draws attention away from local forms of trafficking. In January 2020, NCCPIM and TIP partnered with an international organization to provide anti-trafficking training to 20–25 judges in specialized human trafficking courts. (3) NCCPIM and TIP also organized 24 capacity-building workshops related to human trafficking during the reporting period. (28) On November 10, 2020, NCCPIM and TIP launched the second phase of its "Together Against Human Trafficking" awareness campaign in partnership with IOM. The campaign included a public service announcement featuring prominent Egyptian celebrities that was broadcast on television and displayed on billboards and buses. (28) Other awareness efforts took place throughout the reporting period, including a social media campaign with the participation of the Prime Minister, Minister of Foreign Affairs, Minister of Social Solidarity, NCCPIM and TIP's chairperson, National Council for Human Rights (NCHR) directors, NCCM leaders, President of the Federation of NGOs, heads of UN agencies in Egypt including IOM and UNODC, and NGOs. (28)
Child Protection Committees	Coordinate child protection efforts at the local level in partnership with community organizations. Led by the Ministry of Social Solidarity and chaired by local governors in each governorate, with subcommittees at each police station. (15) In 2020, the government maintained 320 child protection committees. (3)

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### 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 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. (2,15) Developed in 2017 and formally adopted in 2018, the strategic objectives of the National Action Plan 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. (17) In 2020, ILO and the ministries of Manpower, Social Solidarity, and Agriculture, along with NCCM, worked together to implement the National Action Plan by continuing to mobilize resources, develop institutions, review legislation, and cooperate on an inter-institutional level. (2)
National Strategy for Combating and Preventing Trafficking in Persons (2016–2021)	Aims to maintain referral mechanisms, train law enforcement officials, and combat trafficking of street children. (2,15) Active in 2020. (3)
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 as the Ministry of Manpower and NCCM; developing programs to address child labor; and expanding educational and vocational training opportunities. (2,13) Active in 2020. (2)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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 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. (51) Active in 2020. (52)
Solidarity and Dignity Program (Takaful and Karama)†	Funded by the Ministry of Social Solidarity, this program promotes school attendance and health monitoring for children by providing income supplements to poor families. (2,13) This partnership between the government and the World Food Program, UNDP, UNICEF, and the World Bank offers income supplements to poor families under the conditions that household children maintain at least an 80 percent attendance record in school and that mothers and children under age 6 provide demonstrable evidence of having been seen at health clinics four times per year. (2) In March 2020, the Government of Egypt declared \$50 million in additional funding to support the Takaful and Karama program. Between March and October 2020, 309,748 new families were added as project participants to this program. (2) In November 2020, the program aided 11.1 million people by providing \$1.3 billion in benefits. (2) Despite these increases, reporting indicates that need remains for additional families to be added to this program. (2)
Children without Shelter†	Ministry of Social Solidarity-operated shelters for victims of human trafficking, child victims of trafficking and forced labor, and other vulnerable individuals. The Dar as-Salam shelter, operated by NCCM and the NGO Face, provides social services, including psychological counseling and health services. (53) Mobile units in 10 governorates work to reintegrate children with their families or place them in foster care. (54) Active in 2020. (55)
ACCEL Africa (2018–2022)	Aims to eliminate child labor in the cotton, textiles, and ready-made-garments sectors; implemented by ILO and funded by the Dutch government. ACCEL Africa- Egypt partners with the ministries of Manpower, Education, Social Solidarity, and Agriculture, as well as NCCM to improve policy, legal, and institutional frameworks. (56) During the reporting period, the Ministry of Manpower committed to a new action plan for implementing the program. (2) Also in 2020, ILO launched a pilot program for an internet-based referral mechanism under the ACCEL Africa project. (2)

† Program is funded by the Government of Egypt.

Although Egypt has programs that target child labor, the scope of these programs is insufficient to fully address 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 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 – 2020
	Ensure that the law establishes age 16 as the minimum age for voluntary recruitment by the state military with safeguards for voluntariness.	2019 – 2020
Enforcement	Publish information on labor law enforcement efforts.	2011 – 2020
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2017 – 2020
	Ensure the number of labor inspectors in Egypt meets the ILO's technical guidance.	2018 – 2020
	Increase the number of inspectors receiving training on child labor policies.	2019 – 2020
	Publish information on criminal law enforcement efforts.	2011 – 2020
Coordination	Ensure that the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons effectively addresses trafficking as a distinct crime.	2020
Social Programs	Ensure universal access to free public education, especially for girls, by addressing the cost of school fees, supplies, violence in schools, lack of documentation, and other barriers to education.	2010 – 2020
	Expand programs to address the full scope of the child labor problem, particularly in commercial sexual exploitation and in quarrying limestone.	2010 – 2020
	Expand the Takaful and Kamara program to ensure that children are able to stay in school.	2020

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In 2020, El Salvador made moderate advancement in efforts to eliminate the worst forms of child labor. Multiple government agencies worked with the International Labor Organization to prepare the 2019 report "New Forms of Child Labor: Use and Recruitment of Boys, Girls and Adolescents for Illicit Gang Activities in El Salvador," which evaluates the relationship between gangs and children to highlight the worst forms of child labor. The government also published results from its Annual Multipurpose Household Survey, which identifies child labor



prevalence in the country. Furthermore, the government made publicly available the labor inspectorate's level of funding and increased the number of labor inspectors from 107 to 124. However, children in El Salvador are subjected to the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. Law enforcement agencies continued to lack sufficient resources to enforce child labor laws throughout the country. Gaps also remained related to the implementation of key policies to address child labor.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in El Salvador are subjected to the worst forms of child labor, including in commercial sexual exploitation and in illicit activities, each sometimes as a result of human trafficking. Children also perform dangerous tasks in the harvesting of coffee. (1-6) In 2020, the Director General of Statistics and Census published results from the 2019 El Salvador Annual Multipurpose Household Survey, which found that around 93,283 children between the ages of 5 and 17 are working in El Salvador, an 8.48 percent decrease since 2018. (7,8) The survey also found that more than 60 percent of child laborers live in rural communities and around 40 percent do not attend school. (7,8) Table 1 provides key indicators on children's work and education in El Salvador.

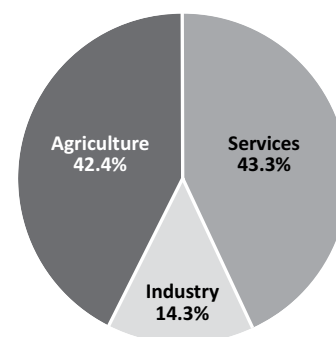
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	3.6 (39,269)
Attending School (%)	5 to 14	92.7
Combining Work and School (%)	7 to 14	3.7
Primary Completion Rate (%)		86.6

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (9)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Hogares de Propósitos Múltiples (EHPM), 2019. (10)

**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	Harvesting sugarcane† and coffee,† and production of cereal grains (4,11,12)
	Cattle-raising† (12)
	Fishing,† including harvesting shellfish and mollusks† (2,4,7,13)
Industry	Manufacturing fireworks† (4,11,13)
	Production of baked goods (12)

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

Sector/Industry	Activity
Industry	Construction† (4,7,12)
Services	Garbage scavenging,† street begging,† performing,† and vending† (4,6,11,14)
	Domestic work (4,6,11,12,15)
	Selling goods in markets or kiosks and working in restaurants (12)
	Repairing motor vehicles† (12)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,7,13)
	Use by gangs to perform illicit activities, including committing homicides, extortion, and trafficking drugs, sometimes as a result of human trafficking (2,4-7)
	Forced begging, domestic work, agricultural labor, construction, work in textiles, and street work (2,4-7)

† 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.

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, conducting surveillance activities, trafficking drugs, and committing homicides. (1,3,4,6,7,16) Gangs also often force young girls into domestic servitude, including providing childcare, and into sexual exploitation. Reports indicate that those who resist forced gang labor have been assaulted or killed. (4,6,7) El Salvador's Trafficking in Person's Special Prosecutor and local NGOs have indicated that adolescent girls with limited education are among the most at risk of being trafficked. (3,16) LGBTI adolescents are also at risk of being forced into commercial sexual exploitation by gangs. (4)

Children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Human trafficking is also a driver of child migration. (2,3,6,17-19) Gangs target adolescent girls for forced commercial sex, causing them and sometimes their entire families to flee El Salvador in fear. Once en route, however, girls and other children from El Salvador remain vulnerable to human trafficking and commercial sexual exploitation. (2,3,6,17-19)

Multiple reports, including by third-party monitoring groups, indicate that the use of child labor in sugarcane harvesting has decreased since 2010. (1) However, despite ongoing government efforts to address child labor in this sector, recent data demonstrating the impact of specific government programs have not been published. (1)

At schools, children are recruited, extorted, and harassed by gangs, which may cause them to stop attending school. (7) This situation is aggravated by the fact that a majority of schools are located in communities where gangs are present. (20,21) Indigenous children are sometimes threatened by gang members for crossing gang territorial lines that are set across ancestral indigenous land, forcing some of them to drop out of school. (22) Children who do not attend school are more vulnerable to child labor, including its worst forms. (1,2,17,23) Children in El Salvador face numerous barriers to education such as insufficient funds allocated to education and precarious school infrastructure. (21) Poverty, particularly in rural areas, also presents a barrier to education in El Salvador because children leave school to contribute to family incomes. (21) According to the Comprehensive Law of Protection of Childhood and Adolescence, a lack of identity documents should not prevent school enrollment. However, research indicates that children are still being required to have birth certificates to enroll in schools, in contravention of national law. (4,7) According to the Ministry of Education, this is standard procedure in every school in the country. In the cases when a child does not have a birth certificate, the school will consider their enrollment, but there is no guarantee of admission. (24) This practice may be having an adverse effect on the enrollment rates of children in school, because the cost for these documents is prohibitive for very poor families. (4,7) Limited reporting also indicates that children from indigenous communities disproportionately lack access to education. (1,4,7)




In the 2019 El Salvador Annual Multipurpose Household Survey published during the reporting year, the government highlighted the number and age of child laborers, but it did not include information about the

sectors in which children were working, as well as details on the specific worst forms of child labor children were subjected to. (7)

## 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in El Salvador's legal framework to adequately protect children from the worst forms of child labor, including the minimum age for work compared to the compulsory age for basic education.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Article 114 and 627 of the Labor Code; Article 38 of the Constitution; Article 59 of the Law for the Comprehensive Protection of Children and Adolescents (LEPINA) (23,25,26)
Minimum Age for Hazardous Work	Yes	18	Article 105 and 627 of the Labor Code; Article 38 of the Constitution; Article 2 of Agreement 241 of 2011 (23,25,27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 1 of Agreement 241 of 2011 (27)
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 (23,25,26,28)
Prohibition of Child Trafficking	Yes		Articles 3 and 54–55 of the Special Law Against Trafficking in Persons; Article 56 of LEPINA (26,28)
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 (26,28,29)
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 (26,28,29)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Articles 2 and 6 of the Military Service Law (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 215 of the Constitution; Decree No. 298 (23,31)
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 (23,29,32)
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 (23,26,33)
Free Public Education	Yes		Articles 5, 18, 20, and 22 of the General Education Law; Article 82 of LEPINA; Article 56 of the Constitution (23,26,33)

‡ Age calculated based on available information (26,33)



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The maximum fine for all labor violations in the Labor Code remained at \$60 during the reporting period, as the revisions increasing fines approved by the Legislative Assembly Committee of Labor in 2019 were not ratified by the full legislature. (1,4,7) In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (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 enforcement agencies 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 worksites for labor violations, including child labor, and monitors working conditions for adolescents who are granted work authorization. (4,13) Maintains a child labor unit dedicated to child labor law enforcement issues. (36) Refers cases of the worst forms of child labor to the Office of the Attorney General. (4)
Ministry of Justice and Public Security	Enforces criminal laws related to the worst forms of child labor through the Office of the Attorney General and the National Civil Police (PNC), both of which maintain special trafficking in persons units to investigate and prosecute human trafficking, including child trafficking. (4,11,13,28,37) The PNC maintains a hotline that receives complaints about human trafficking for sexual and labor exploitation. (38)
The Salvadoran Institute for the Complete Development of Children and Adolescents	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. (39)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in El Salvador took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (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	2019	2020
Labor Inspectorate Funding	Unknown (4)	\$3.2 million (7)
Number of Labor Inspectors	107 (40)	124 (7)
Inspectorate Authorized to Assess Penalties	Yes (25)	Yes (25)
Initial Training for New Labor Inspectors	Yes (4)	Yes (7)
Training on New Laws Related to Child Labor	N/A	N/A (7)
Refresher Courses Provided	Yes (4)	No (7)
Number of Labor Inspections Conducted	33,636 (41)	23,262 (7)
Number Conducted at Worksite	788 (4)	Unknown (7)
Number of Child Labor Violations Found	2 (4)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	N/A (7)
Number of Child Labor Penalties Imposed that Were Collected	0 (4)	N/A (7)
Routine Inspections Conducted	Yes (4)	Yes (7)
Routine Inspections Targeted	Yes (4)	Yes (7)
Unannounced Inspections Permitted	Yes (25)	Yes (25)
Unannounced Inspections Conducted	Yes (4)	Yes (7)
Complaint Mechanism Exists	Yes (4)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (7)

In 2020, the labor inspectorate conducted 258 child labor-specific inspections and identified 1 minor working, with appropriate work authorization. (7) A total of 23,262 labor inspections were conducted during the year, representing approximately 185 inspections carried out by each inspector. This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections. (7)

The MTPS has indicated that its budget is insufficient to address workers' rights. (7) Furthermore, despite the addition of 17 inspectors in 2020, the total 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 1 inspector for every 15,000 workers in industrializing economies, El Salvador would employ about 180 labor inspectors. (42) In addition, inspectors focus primarily on the formal sector in urban areas due to resource constraints, despite the size of El Salvador's informal sector. (4,7,40) During the reporting period, inspectors did not receive training on the subject of child labor. (7)

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. (25) Reports indicate that this amount is insufficient to deter labor violations. (3,37)

### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (4)	No (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (7)
Refresher Courses Provided	Yes (4)	No (7)
Number of Investigations	Unknown (4)	14 (7)
Number of Violations Found	Unknown (4)	Unknown (7)
Number of Prosecutions Initiated	Unknown (4)	Unknown (7)
Number of Convictions	0 (4)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (16)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (7)

In 2020, the National Civil Police opened a total of 14 cases for investigation related to child labor violations. During the reporting period, the government reported two cases related to the sexual exploitation of children, in which one victim was rescued for each case. In one case, three subjects were arrested, and in the other, eight subjects were detained. (7) The Salvadoran Institute for the Complete Development of Children and Adolescents (ISNA) reported four adolescent trafficking victims rescued by police and placed in the ISNA Regional Trafficking in Persons Shelter. (7) The total number of violations found, prosecutions initiated, number of convictions, and penalties imposed related to the worst forms of child labor in 2020 were unknown because the government did not provide this information for inclusion in this report.

The Attorney General's Office stated the need for more investigators and analysts due to the complexity of the investigations and the specialized investigation technique required. (7) Reports also indicate that the Ministry of Justice and Public Security is underfunded and unable to support a sufficient number of investigators to collect and analyze evidence to process case backlogs. (1,16,40) In addition, research found that increased coordination between the National Civil Police and the Office of the Attorney General is needed to improve the investigation and prosecution of criminal child labor violations. (44) Salvadoran police chiefs and prosecutors noted 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. (3,38)

## 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.

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**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. Chaired by MTPS, includes 12 government agencies, along with representatives from labor unions, business associations, and NGOs. (12,13) Maintains a web-based monitoring system that allows government agencies to share and analyze information to coordinate the implementation of the Roadmap. (13) Research was unable to determine whether the National Committee for the Eradication of Child Labor Coordinating Body was active during the reporting period.
National Council Against Trafficking in Persons	Coordinates government efforts to combat human trafficking and implements the National Policy Against Trafficking in Persons. (13,35) Led by the Ministry of Justice and Public Security and composed of 11 government agencies. (13,28) Research was unable to determine whether the National Council Against Trafficking in Persons Coordinating Body was active during the reporting period.
National Council for Children and Adolescents (CONNA)	Develops policies to protect the rights of children, including those regarding child labor, and implements LEPINA and the National Policy for the Comprehensive Protection of Children and Adolescents in El Salvador (PNPNA). (13,26,45,46) Responds to cases involving the violation of children's rights by providing victim assistance. (47) Research was unable to determine whether the CONNA Coordinating Body was active during the reporting period.
Departmental and Local Committees for Children's and Adolescents' Rights	Implement CONNA's policies, including PNPNA, at the departmental and municipal levels, and receive complaints of child rights violations. (13,26) Research was unable to determine whether the Departmental and Local Committees for Children's and Adolescents' Rights Coordinating Bodies were active during the reporting period.

During the reporting period, multiple government agencies worked with the ILO to prepare the 2019 report "New Forms of Child Labor: Use and Recruitment of Boys, Girls and Adolescents for Illicit Gang Activities in El Salvador", a report that evaluates the relationship between gangs and children to highlight the worst form of child labor. (7)

## 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 implementation of child labor issues into relevant national policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Roadmap to Make El Salvador a Country Free of Child Labor and Its Worst Forms	Serves as the government's principal policy for eliminating the worst forms of child labor. Aims to eliminate all child labor by 2020, by reducing poverty, improving education and health, protecting children's rights, and raising awareness of child labor. (48) Chaired by MTPS along with the Ministry of Education, the Ministry of Foreign Relations, the Ministry of Economy, the Ministry of Health, and the Ministry of Agriculture and Livestock. (7) In December 2020, under this policy, MTPS planned and launched the Plan of Labor Inspections to Determine Cases of Trafficking in Persons and Child Labor, but the results of the plan remain unknown. (7,49) However, some reporting indicates that under this plan the government closed several establishments either temporarily or permanently. (24) This plan consisted of a nationwide inspections operation to identify cases of human trafficking and child labor in bars and nightclubs. (49)
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 reducing poverty and improving health services and access to quality education for children, including children with disabilities. (12,46) Research was unable to determine whether activities were undertaken during the reporting period to implement the PNPNA.
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, inter-agency coordination, training, and anti-corruption efforts. (50,51) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Policy Against Trafficking in Persons.
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. (13,52) Research was unable to determine whether activities were undertaken during the reporting period to implement the Educated El Salvador Plan.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,3,37,53-58)

During the reporting period ISNA participated in the formulation of the National Early Childhood Policy, through which mostly low-income parents can leave their children in a safe environment during the workday so that the children are not in contact with the work activities of their parents. (7) However, the government has not included child labor elimination and prevention strategies in the National Youth Policy (2010–2024). (59) The MTPS reported that the COVID-19 pandemic seriously affected the planning established for the reporting period and their ability to carry out work for these policies. (7)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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 the “Protection Starts at Home” awareness program and the “Call 1 2 3” Hotline, which promote respect toward the physical, psychological, and sexual integrity of children and adolescents. (13,43,44,60) The “Call 1 2 3” Hotline offers children and adults the ability to consult specialists in emergency situations. (61) Research was unable to determine whether activities were undertaken during the reporting period to implement this initiative.
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 access to public services. Include Health and Education Bonus Programs that assist families with cash transfers conditioned on children’s school attendance and health checkups. (50,62,63) Research was unable to determine whether activities were undertaken during the reporting period to implement the Sustainable Families Programs.
School Prevention and Security Plan†	Programs implemented by 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. (64-67) Research was unable to determine whether activities were undertaken during the reporting period to implement the School Prevention and Security Plan.
USDOL-Funded Projects	Projects which aim to reduce the incidence of child labor, including: <a href="#">Youth Pathways-Central America (2015–2021)</a> , a \$17 million project implemented by Catholic Relief Services in El Salvador and Honduras; and <a href="#">Reducing Incidence of Child Labor and Harmful Conditions of Work in Economic Strengthening Initiatives (RICHERS) (2017–2021)</a> , a \$1.6 million project implemented by the Grameen Foundation in El Salvador and the Philippines. (60,68-70) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (1,3,11,65,71-73)

Despite efforts to combat human trafficking, services for adolescent male human trafficking victims are limited, which may leave them vulnerable to being trafficked again. (38) 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 age 14 to the age up to which education is compulsory.	2018 – 2020
Enforcement	Provide sufficient funding and resources to the Ministry of Labor and Social Welfare and criminal law enforcement agencies to fully enforce child labor laws and investigate cases involving the worst forms of child labor, including in the informal sector.	2010 – 2020
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2018 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure and verify that child labor themes are included in annual refresher courses for inspectors.	2018 – 2020
	Establish monetary penalties for child labor violations that are proportionate to the nature and seriousness of the offense.	2009 – 2020
	Collect and publish complete information on training for new criminal investigators and data on the number of criminal violations found, and penalties imposed related to the worst forms of child labor.	2019 – 2020
	Improve coordination between the National Civil Police and the Office of the Attorney General in their investigation and prosecution of criminal cases related to the worst forms of child labor, including by developing information-sharing capabilities.	2014 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2018 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the National Youth Policy for 2010–2024.	2014 – 2020
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
Social Programs	Collect and publish government statistics evaluating the impact of collaborative projects targeting child labor in sugarcane production.	2016 – 2020
	Publish activities undertaken to implement key social programs to address child labor during the reporting period.	2020
	Remove barriers to education, such as birth registration requirements, and ensure access for all children, including students of indigenous descent.	2011 – 2020
	Ensure that adequate services are available for all human trafficking victims, including adolescent males.	2020
	Implement programs to support child laborers who may not be living with their parents, including child domestic workers.	2017 – 2020
	Ensure annual surveys that provide data on child labor include information on specific child labor work sectors and the worst forms of child labor.	2020

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## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

In 2020, Eritrea is receiving an assessment of no advancement. Despite initiatives to address child labor, Eritrea is receiving an assessment of no advancement because it had a policy of being complicit in the use of forced child labor in more than isolated incidents. Government officials 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. Otherwise, the government made efforts by maintaining funding for its education programs, and expanding schooling in rural areas prior to the onset of the COVID-19 pandemic. Children in Eritrea are subjected to the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. Moreover, Eritrea's minimum age protections do not apply to children working outside formal employment relationships, and therefore do not conform to international standards. 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 are subjected to the worst forms of child labor, including in forced military training associated with national service and forced agricultural labor. (1) 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 (%)		60.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (2) Data were unavailable from International Labor Organization's analysis, 2021. (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	Farming, activities unknown (1,4,5)
	Herding livestock (1,4-7)
Industry	Mining, including gold (8)
	Small-scale manufacturing (9)
Services	Domestic work, including fetching water and firewood (5,9)
	Working in auto mechanic shops, bicycle repair shops, tea and coffee shops, metal workshops, grocery stores, the Asmara bowling alley, and open markets (1,4,6,9-11)
	Street work, including vending, cleaning cars, and begging (1,5,9)
Categorical Worst Forms of Child Labor‡	Compulsory participation in national service or military training associated with national service prior to age 18, and in forced agricultural and domestic work (1,9,12-15)
	Commercial sexual exploitation, 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.

# Eritrea

## NO ADVANCEMENT – EFFORTS MADE BUT COMPLICIT IN FORCED CHILD LABOR

The Proclamation on National Service No. 82/1995 establishes compulsory military training and service, known as National Service, for all citizens ages 18 to 40. (1,13,16) 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, 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. (1,13-15,17) The 4 months spent at Sawa are devoted to mandatory military training, which includes military discipline and procedures, weapons training, a survival exercise, and a two-to-four week war simulation. Some conscripts were forced to perform agricultural labor on government-owned farms. (14,16,18) 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, a national ID card, a regional residence card, subsidized staples, or any kind of official employment unless they agree to military service. This leaves them vulnerable to becoming involved in illegal activity, including the worst forms of child labor. (19,20)

Eritrean children face a future of indefinite national service assignments, inability to earn higher wages in the private sector without completion of national service assignments, and notoriously harsh conditions at Sawa. These factors underlie an ongoing exodus of unaccompanied minors from the country. (4,14,21-23) 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. (4,14,24,25) It is unclear if age verification procedures are consistently applied prior to new Sawa graduates being sent to active military service. (1,26) 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 recruitment into the military. (12,14,27) The government did not collect or publish data on child work, child labor, or the worst forms of child labor during the reporting period. (1,9)


Children, particularly in rural areas, lack access to teachers, classrooms, transportation, uniforms, and school supplies. (1,14,18,28) To address the shortfall, the government has deployed teachers to less populated regions to educate rural and nomadic children. (1,9) The government's national development agenda prioritizes the expansion of schooling in rural areas. (1,29,30) However, teachers may flee the country to avoid open-ended conscription into Eritrea's national service system. The resulting staff shortages and high absenteeism rates compound these challenges. (14)

Restrictions imposed to contain the pandemic led to nationwide school closures, with the government suspending the free provision of education to most students in March 2020. (1) During the reporting period, as many as 300,000 children were out of school, a situation that continued to deteriorate throughout the year. (31) Prior to the pandemic, children attended public school in one of two daily shifts, allowing them to work and attend school simultaneously. Following pandemic-related school closures, however, children were observed working throughout the day. (1)

## 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	✓

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**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 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 3, 68 of the Labor Proclamation (32)
Minimum Age for Hazardous Work	No		Articles 3, 35, and 69 of the Labor Proclamation (32)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 69 of the Labor Proclamation (32)
Prohibition of Forced Labor	Yes		Articles 108(c), 297, and 316 of the Penal Code (33)
Prohibition of Child Trafficking	Yes		Articles 297, 315–318 of the Penal Code (33)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 305–306 and 313–318 of the Penal Code (33)
Prohibition of Using Children in Illicit Activities	No		Articles 390–392 of the Penal Code (33)
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 (13)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 109(e) and 111(b) of the Penal Code (33)
Compulsory Education Age	No	14‡	
Free Public Education	No		Article 21 of the Constitution (34)

‡ Age calculated based on available information (35-37)

The Labor Proclamation's minimum age protections do not apply to children working outside formal employment relationships, such as those who are self-employed. This does not conform to international standards requiring all children to be protected by the minimum age to work. (32) In addition, 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. Likewise, the Labor Proclamation's hazardous work protections do not apply to children working outside formal employment relationships. (32,38)

Laws governing the use of children in illicit activities are not sufficient because offering and procuring a child for the production of drugs is not criminally prohibited. (33) In addition, laws regarding the commercial sexual exploitation of children are insufficient because the use of a child for prostitution is not criminally prohibited, although there are criminal penalties associated with the procurement of children under age 14. (33) The government announced in 2015 that it was considering drafting a new criminal code prohibiting the commercial



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sexual exploitation of children, but it is unclear whether that was drafted or put into effect. (18,39,40) Furthermore, voluntary military service of children under age 18 is not authorized in Eritrea because the Proclamation on National Service No. 82/1995, which requires compulsory national service from all citizens ages 18 to 40, defines national service in such a way that it is limited to people in that age group. (13)

While Eritrea does not appear to have any laws guaranteeing free basic education or setting the compulsory education age, several government policies provide free and compulsory basic education to all children below the age of 14, including the Education Sector Development Plan, the National Education Policy, and the Comprehensive National Child Policy. (38,41,42)

### 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 enforcement agencies 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 (MoLSW)	Enforces labor laws and investigates labor abuses, including child labor. (17,39) According to the government, child labor inspectors operate in every administrative zone. (43)
Eritrean Police	Enforce laws and investigate referred cases of child trafficking and commercial sexual exploitation of children. (9)
Citizen Militia	Performs night patrols and refers cases of commercial sexual exploitation of children or other exploitative practices to the Eritrean police. (9)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Eritrea took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare (MoLSW) that may hinder adequate enforcement, including the lack of referral mechanisms.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (9)	Unknown (1)
Number of Labor Inspectors	28 (9)	28 (1)
Inspectorate Authorized to Assess Penalties	Yes (9)	Yes (1,32)
Initial Training for New Labor Inspectors	Yes (9)	Yes (1)
Training on New Laws Related to Child Labor	N/A (9)	N/A (1)
Refresher Courses Provided	Yes (9)	Yes (1)
Number of Labor Inspections Conducted	1,166 (9)	Unknown (1)
Number Conducted at Worksite	1,166 (9)	Unknown (1)
Number of Child Labor Violations Found	0 (9)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (9)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (9)	Unknown (1)
Routine Inspections Conducted	Yes (9)	Unknown (1)
Routine Inspections Targeted	Yes (9)	Unknown (1)
Unannounced Inspections Permitted	Yes (9)	Yes (1,32)
Unannounced Inspections Conducted	Yes (9)	Unknown (1)
Complaint Mechanism Exists	Unknown (9)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (9)	Unknown (1)

MoLSW closed amid widespread lockdowns to contain the pandemic. Inspectors therefore had limited access to workplaces in 2020. (1,9) Although the labor inspectorate did not share a detailed breakdown of sectors inspected during the reporting period, prior reporting indicates MoLSW targeted sectors in urban areas,

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including manufacturing, sales, and hospitality. (1,9,30) Due to a lack of resources, inspectors were unable to access sites in remote areas and the informal sector, in which child labor is likely to occur. (9) Because child labor laws do not extend to private farms and homes, MoLSW did not inspect private residences for child labor violations. (1) Moreover, research indicates that the 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. (45,46)

Labor inspectors, in collaboration with the local administrations and police, are empowered to identify and prosecute child labor violations. Penalties for labor violations are assessed in coordination with inspectors, administrators, and the police, and are adjudicated by judicial authorities. (1)

In 2020, MoLSW worked with the ILO to develop an enhanced labor officer training program. However, the pandemic delayed its implementation. (1) Research was unable to determine whether reciprocal referral mechanisms exist between labor authorities and social services. (9,10) The government did not provide information on its labor inspectorate funding for this report. (1)

### **Criminal Law Enforcement**

In 2020, 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 lack of criminal law enforcement data.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (9)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (9)	N/A (1)
Refresher Courses Provided	Yes (9)	Unknown (1)
Number of Investigations	Unknown (9)	Unknown (1)
Number of Violations Found	Unknown (9)	Unknown (1)
Number of Prosecutions Initiated	Unknown (9)	Unknown (1)
Number of Convictions	Unknown (9)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (9)	Unknown (1)

Under the Proclamation on National Service No. 82/199, all Eritreans over the age of 18 must undergo 6 months of compulsory military training at the National Military Training Center. 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 2020 to ensure children were not subjected to compulsory military training. (9,14,32) The government does not publicly release information on its criminal law enforcement efforts. (9)

## **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's 43 Child Wellbeing Committees, which operate at the local level, coordinate representatives from the political, health, educational, legal, and civil society sectors. They are charged with ensuring that children in distress receive specialized care. (1) While the committees were active in 2020, research found that their mandates are focused on reducing female genital mutilation and child marriage and do not extend to efforts to address child labor. (1,9,10)

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### 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
Comprehensive National Child Policy	Addresses underlying causes of child labor through studies of and assessments on the nature and conditions of child labor; designs advocacy and public awareness campaigns to sensitize on the worst forms of child labor; and empowers communities and the public sector to monitor and prevent child labor from occurring. (30,41) The policy calls for the provision of free and compulsory basic education to all children irrespective of gender, sex, ethnicity, religion, or disability. (47) A ban on gatherings due to the pandemic led to suspension in education sensitization campaigns in 2020. However, the government continued to allocate resources in furtherance of these policy objectives in 2020. (1,48)
Education Sector Development Plan (2018–2021)	Establishes 8 years of free and compulsory education for all children. (29,49) Includes a strategy to ensure equitable access to education for all children, including in nomadic communities, through the provision of portable classrooms. (29,30) Virtual learning was generally not widely available due to low levels of Internet and radio availability. (1,50) However, in April, the Ministry of Education (MoE) began providing TV-transmitted instructions for secondary education. (50,51) Moreover, UNICEF supported MoE's plans to finalize media-transmitted instructions for basic education in July 2020. (48,50) MoE also trained 180 complementary elementary education facilitators, and enrolled 5,900 out-of-school children in the remote communities of Gash-Barka, Northern Red Sea and Anseba Zobas. (51)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (42)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that may contribute to eliminating child labor (Table 9). However, gaps exist in these social programs, including capacity to address the problem in all sectors.

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
Complementary Elementary Education (CEE)†	Government program created under 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. (5,18,29) UNICEF pledged to support continuity of education for over 600,000 children in 2020–2021. (31,48,50) In 2020, the UN worked with MoE to develop continuity of education plans and expedite safe school reopening, including through the distribution of 50,000 bars of soap to promote handwashing. With MoE, UNICEF also trained 180 facilitators in basic education skills in CEE centers. (1,50,51)
UNICEF Country Program (2017–2021)	\$19.5 million (\$31 million requested) UNICEF-funded program nested under the UN-Eritrea Strategic Partnership Cooperation Framework (2017–2021); in collaboration with the government, expands access to quality basic education for all children, and protects children from violence, exploitation, and abuse. (52-54) UNICEF's Mine Risk Education program was suspended in 2020 due to school closures. (48,50) However, through the Community-Based Rehabilitation program, UNICEF and MoLSW provided mental health and psychosocial support to over 300 vulnerable children, including those with disabilities. (48,50) In addition, UNICEF worked with MoE to train facilitators and establish non-formal complementary education centers catering to older children. (50) Following countrywide school closures in March, UNICEF also provided technical support to MOE for TV-transmitted primary and secondary instruction. Moreover, MoLSW translated parenting and hygiene recommendations into Tigrinya and disseminated them through national newspapers and radio programs with UNICEF's support. (50)
Better Migration Management	EU-led program encompassing 11 countries in North, Central, and East Africa, and aims to address the international labor market, including trafficking of children. The Eritrean government joined the program on May 28, 2019. (9,55) Research was unable to determine whether the policy was implemented during the reporting period.

† 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 address all worst forms of child labor in the country.

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## 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	Ensure that all children are protected by minimum age laws, including those who are self-employed.	2010 – 2020
	Determine the types of hazardous work prohibited for children and ensure that all children are protected by hazardous work prohibitions, including children in the informal sector.	2015 – 2020
	Criminally prohibit the use of a child for prostitution.	2014 – 2020
	Criminally prohibit procuring and offering a child for the production of drugs.	2013 – 2020
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish by law free basic public education.	2016 – 2020
Enforcement	Publish information on labor inspectorate funding, total number of inspections conducted at worksites, number of violations, number of targeted, routine, and unannounced inspections, number of violations for which penalties were imposed and collected, and whether complaint mechanisms and reciprocal referral mechanisms are in place.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2018 – 2020
	Ensure labor inspectors are provided sufficient resources, including transportation, to access sites in which child labor is likely to occur.	2019 – 2020
	Publish information on criminal law enforcement efforts, including initial and refresher training for new investigators, and data on the number of criminal investigations, violations, prosecutions, and convictions related to the worst forms of child labor, and if reciprocal referral mechanisms exist.	2019 – 2020
Coordination	Establish coordinating mechanisms to directly address child labor.	2009 – 2020
Government Policies	Ensure that children under age 18 are not placed in military or agricultural labor assignments as part of national service.	2009 – 2020
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 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2009 – 2020
	Institute programs to address child labor, including in agriculture, domestic work, street work, and the worst forms of child labor, including in commercial sexual exploitation.	2009 – 2020

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In 2020, Eswatini made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of the Kingdom of Eswatini published their first-ever uniform guidelines for providing shelter and care for victims of human trafficking and gender-based violence. However, children in Eswatini are subjected to the worst forms of child labor, including in forced domestic work, forced livestock herding, and commercial sexual exploitation, each sometimes as a result of human trafficking. Significant gaps in the legal framework remain, including gaps in minimum age protections, 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, minimum age protections only apply to children working in industrial undertakings, which does not conform to international standards that require all children to be protected by the minimum age to work.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Eswatini are subjected to the worst forms of child labor, including in forced domestic work and forced livestock herding, each sometimes as a result of human trafficking. (1-4) Table 1 provides key indicators on children's work and education in Eswatini.

**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 (%)		94.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 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	Farming, including growing corn and harvesting sugarcane (1)
	Raising and herding livestock, including cattle, buffalo, goats, swine, horses, donkeys, and sheep (1,3,7,8)
Services	Domestic work (1,8-10)
	Street work, including working as vendors, bus attendants, taxi conductors, porters, and car washers (1,2,4,8)
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 (2,4,11-13)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,4,8,10,12-14)
	Use in illicit activities, including growing drugs such as marijuana (3,8,10,13)

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

According to results from the 2014 Survey on Child Labor in Herding in Rural Areas in Eswatini, published by the Government of the Kingdom of Eswatini and the ILO, 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 Lubombo. (7) 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.

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Children’s injuries sustained during livestock herding include open wounds, fractures, dislocations and sprains, fever, extreme fatigue, and snake bites. (7) In addition, there is evidence of children’s current and growing participation in the production—but not the dealing or trafficking—of marijuana, which remains illegal under Swati law. (8,13)

The government provides free primary education from grade one through grade seven, and subsidizes secondary education for the approximately 70 percent of Eswatini’s children who are orphaned or vulnerable. At the lower secondary and upper secondary levels, however, the cost of school fees was a barrier for students whose families lacked sufficient funds to sustain their enrollment. (8,15)

## 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 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 234 of the Children's Protection and Welfare Act; Section 97 of the Employment Act (16,17)
Minimum Age for Hazardous Work	Yes	18	Article 236 of the Children's Protection and Welfare Act; Article 29 of the Constitution (16,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 233 and 236–237 of the Children's Protection and Welfare Act (16)
Prohibition of Forced Labor	Yes		Article 75 of the Children's Protection and Welfare Act; Sections 144 and 145 of the Employment Act; Article 13 of the People Trafficking and People Smuggling (Prohibition) Act; Articles 17 and 29 of the Constitution (16-19)
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 (16,19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 42–46 of the Crimes Act; Sections 13–15 and Sections 23-28 of the Sexual Offences and Domestic Violence Act (20,21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 16 and 49 of the Children's Protection and Welfare Act (16)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of The Umbutfo Swaziland Defence Force Order (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Section 17 of The Umbutfo Swaziland Defence Force Order (22)

**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	No	12/13‡	Section 10 of the Free Primary Education Act (23)
Free Public Education	No		Section 3 of the Free Primary Education Act (23)

\* No conscription (22)

‡ Age calculated based on available information (24)

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 covers children working in domestic and agricultural work. (16,17) Children working in the agricultural sector often work long hours, carry heavy loads, work in remote areas, and risk exposure to harmful pesticides. (7) There is also no identification of hazardous occupations or activities prohibited for children based on the current legislation. (9,16,17)

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. (9,23,24) 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. (23,25)

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*. (26) In 2020, there were no reports that local chiefs forced residents or children to work, and research indicates that the practice is rare or non-existent, and not innate to the customary practice of *Kuhlehla* (a practice in which people render services to the local chief or king). 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. (26)

A draft amendment to the Employment Act No. 5/1980 received initial feedback from Eswatini's Labor Advisory Board (LAB) in 2019 and is still awaiting a final review from the ILO and a second review by the LAB before being sent to the Cabinet and Parliament for approval. The draft bill would extend minimum age protections to children working in agriculture and domestic service, allow labor inspectors to enter private homes and farms to carry out inspections, and criminalize the recruitment of children by non-state armed groups. (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 authority of enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security	Enforces child labor laws and promotes relations between labor, government, and business through tripartite dialogue. (15)
Royal Eswatini Police Services	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. (21,27)

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

Organization/Agency	Role
Trafficking in Persons Secretariat	Plays the lead role in coordinating anti-trafficking efforts. Coordinates some of the outreach programs along with the other elements of the prevention. (28)
Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor, and refers child victims to social and legal support services. (12,21) Responsible for implementing victim identification guidelines and referral mechanisms for victims of human trafficking and those at risk. (24)

The Department of Social Welfare offered rehabilitative services to victims of child labor, including orphans, and referred suspected cases of child labor to the Royal Eswatini Police Services (REPS) or to the Ministry of Labor and Social Services (MLSS). (8,15)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Eswatini took actions to combat child labor (Table 6). However, gaps exist within the authority of 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	2019	2020
Labor Inspectorate Funding	\$900,000 (29)	Unknown (8)
Number of Labor Inspectors	15 (29)	Unknown (8)
Inspectorate Authorized to Assess Penalties	No (15)	No (17)
Initial Training for New Labor Inspectors	Yes (15)	Yes (8)
Training on New Laws Related to Child Labor	N/A (15)	N/A (8)
Refresher Courses Provided	No (15)	No (8)
Number of Labor Inspections Conducted	1,580 (29)	Unknown (8)
Number Conducted at Worksite	1,580 (29)	N/A (8)
Number of Child Labor Violations Found	0 (29)	Unknown (8)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (29)	N/A (8)
Number of Child Labor Penalties Imposed that Were Collected	N/A (29)	N/A (8)
Routine Inspections Conducted	Yes (15)	Yes (8)
Routine Inspections Targeted	Yes (15)	Yes (8)
Unannounced Inspections Permitted	Yes (15)	Yes (17)
Unannounced Inspections Conducted	Yes (15)	Yes (8)
Complaint Mechanism Exists	Yes (15)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (8)

Research indicates that labor inspectors lacked sufficient resources, such as vehicles, to conduct inspections. (1,8,10,24,27) In addition, based on the number of labor inspectors in the previous year, there remains a lack of labor inspectors for the size of Eswatini's workforce, which includes approximately 427,900 workers. (30) 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 approximately 14 additional inspectors to meet this threshold. (31,32)

Although research indicates that some inspections were conducted during the reporting period, it is unknown how many total inspections were conducted. Inspectors are not, however, allowed to assess penalties; labor inspectors instead have to identify the labor violations and report them to the appropriate law enforcement authority. (8)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Eswatini 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	2019	2020
Initial Training for New Criminal Investigators	Yes (15)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (15)	N/A (8)
Refresher Courses Provided	Yes (15)	Yes (8)
Number of Investigations	5 (29)	1 (8)
Number of Violations Found	0 (29)	1 (8)
Number of Prosecutions Initiated	4 (33)	1 (8)
Number of Convictions	1 (33)	Unknown (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (29)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (15)	Yes (8)

The government provided limited information during the reporting period.

Research continues to indicate that REPS lacked sufficient resources to fulfill its full mandate in terms of carrying out investigations. (8, 15)

## 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
Children's Services Department	Evaluates and reviews existing national legal instruments governing the treatment of children to ensure compliance with international child treatment standards, provisions, and practices. Also monitors and evaluates national policies, plans, and programs, and ensures that stakeholders collaborate and contribute toward a national child development agenda. (27) Research was unable to determine whether the Children's Services Department was active during the reporting period.
The Anti-Human Trafficking Task Force	Coordinates the implementation of the People Trafficking and People Smuggling (Prohibition) Act of 2009 with the support of the Trafficking in Persons Secretariat. Formulates policies and programs to prevent and suppress human trafficking and people smuggling, including programs to provide assistance to victims and increase the public's awareness of the causes and consequences of human trafficking and smuggling, and exchanges information on cases of human trafficking among relevant stakeholders, including the police, immigration officers, social workers, and prosecutors. (19) Staff received one training session during the reporting period that was hosted by IOM. (8, 13)

During the reporting period, a tripartite committee, consisting of the Royal Eswatini Police Services, the Director of Public Prosecutions, and the Trafficking in Persons Secretariat, met to report on cases and ensure appropriate interventions were being taken. However, due to the COVID-19 pandemic, in-person meetings were canceled or postponed. (13)

Although the government has coordinating mechanisms that address human trafficking, the government does not have a coordinating mechanism to address all relevant child labor issues, including child labor in agriculture and domestic work. In addition, resource constraints, poor communication, and a lack of coordination between staff working on the Anti-Human Trafficking Task Force has resulted in confusion about the mandates of these bodies, how to accomplish their missions, and the overall effectiveness of the task force. (10, 15)



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### 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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Strategic Framework and Action Plan to Combat People Trafficking (2019–2023)	Assigns responsibilities on combating human trafficking to relevant government agencies and provides services to victims. (34) Aims to improve protection for victims, prosecution for offenders, and continued prevention efforts. (34) Research was unable to determine whether actions were undertaken to implement this policy during the reporting period.
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. (35) Research was unable to determine whether actions were undertaken to implement this policy during the reporting period.

The Government of the Kingdom of Eswatini published their first-ever uniform guidelines for providing shelter and care for victims of human trafficking and gender-based violence. (8) In addition, the government worked with ILO to draft a new Action Plan on the Elimination of Child Labor for 2019–2025. While the Action Plan has been reviewed and approved by LAB and the Social Dialogue Committee, it has yet to be presented to the Cabinet for adoption due to the pandemic. (8,15)

Although the Government of the Kingdom of Eswatini has adopted a policy related to human trafficking, research found no evidence of an adopted policy on other relevant worst forms of child labor, including commercial sexual exploitation and the use of children in illicit activities. (8,15) Child labor elimination and prevention strategies are also not included in the Eswatini Education and Training Sector Policy. (8)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 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
Strengthen the Coordination Mechanism to Respond to Trafficking in Persons and Ensure Justice and Protection for All Victims of Trafficking in Eswatini (2019–2021)	IOM-funded, 2-year project that aims to improve protection of human trafficking victims by developing regulations and guidelines, including for shelters, and training staff from the Anti-Human Trafficking Task Force. (8)
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 7. (1,24,27,37) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† Program is funded by the Government of the Kingdom of Eswatini.

The offices of the Prime Minister and the Deputy Prime Minister continued to work with the Trafficking in Persons Secretariat and the Catholic Church to explore the establishment of a shelter to improve the quality of care available to victims of human trafficking. (33) Although Eswatini has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (33,38,39)

### 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 Eswatini (Table 11).

**Table 11. 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 work.	2013 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and cover agricultural undertakings and domestic work.	2012 – 2020
	Adopt legislation that prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish a compulsory education age that is consistent with the minimum age for work.	2009 – 2020
	Establish by law free basic public education through lower secondary education.	2018 – 2020
	Adopt legislation that regulates the work performed through traditional practices like <i>Kuhlehla</i> .	2017 – 2020
Enforcement	Collect and publish comprehensive statistics on enforcement efforts, including labor inspectorate funding, the number of inspectors, the number of inspections conducted at worksites, the number of violations, the number of convictions, and the number of penalties imposed and collected.	2020
	Authorize the labor inspectorate to assess penalties.	2016 – 2020
	Provide labor inspectors with refresher courses on the worst forms of child labor.	2017 – 2020
	Provide adequate resources to labor inspectors and criminal investigators so they can fulfill their mandates.	2013 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2020
Coordination	Ensure that all coordinating bodies are active and have the necessary resources to be able to fulfill their mandates as intended.	2019 – 2020
	Establish a coordinating mechanism that addresses all child labor issues, including children working in agriculture and domestic work.	2015 – 2020
	Improve coordination and communication among coordinating bodies to clarify mandates to combat all forms of child labor.	2018 – 2020
Government Policies	Implement child labor-related policies, including the National Children's Policy, National Strategic Framework, and Action Plan to Combat People Trafficking.	2017 – 2020
	Adopt a policy that addresses all relevant worst forms of child labor, including commercial sexual exploitation and the use of children in illicit activities.	2019 – 2020
	Integrate child labor elimination and prevention strategies into the Eswatini Education and Training Sector Policy.	2010 – 2020
Social Programs	Ensure that children are able to access free basic education, including paying or eliminating school fees for lower secondary education.	2013 – 2020
	Ensure that social programs to address child labor are implemented in accordance with their mandates.	2018 – 2020
	Ensure a minimum quality of standard care in shelters for victims of child trafficking.	2017 – 2020
	Develop social protection programs to assist children engaged in child labor in domestic work and herding.	2014 – 2020

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In 2020, Ethiopia made moderate advancement in efforts to eliminate the worst forms of child labor. Under the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178, the government overhauled its national counter-trafficking framework, amending penalties for debt bondage, slavery, human trafficking, and certain forms of child labor and sexual exploitation. With external support, the Ministry of Education also announced a school feeding project benefiting 163,021 pre-primary and primary-age students in five regional states. In addition, the Ministry of Labor collaborated with the ILO to develop a digital inspection system, which was completed in 2020. However, children in Ethiopia continue to be subjected to the worst forms of child labor, including in forced labor in domestic work and in commercial sexual exploitation. 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 are subjected to the worst forms of child labor, including forced labor in domestic work and commercial sexual exploitation. (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. A majority of these children were found in the regions of Oromia, Amhara, and the Southern Nations, Nationalities, and Peoples' Region (SNNPR). (5) The Ethiopian Central Statistics Agency (CSA) did not collect data on child labor during the reporting period. However, the CSA, UNICEF Ethiopia, and the Center for Evaluation and Development published a report entitled "Child Labor Analysis in Ethiopia 2020." (6,7) The report supplemented CSA's 2015 Ethiopia National Child Labor Survey with new data on hard-to-reach children working in urban areas. (6,7) 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 (%)		54.1

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Socio Economic Survey (ESS 3), 2015–2016. (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	Planting and harvesting apples, bananas, coffee, cotton, khat, and sesame (5,10-15)
	Herding livestock, including cattle (16)
	Fishing (2,5)
Industry	Mining gold† and quarrying† (5,10,17)
	Construction,† including carrying heavy loads and digging (2,5,12)
	Repairing motor vehicles and motorcycles (5)
	Producing handicrafts, including pottery and traditional handwoven textiles (2,5,10,18)

# Ethiopia

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Domestic work (5,11,12,19)
	Unpaid household services, including carrying heavy loads of water and firewood (5,10,19)
	Street work, including shoe shining, assisting taxi drivers, vending, portering, and begging (5,6,10,20,21)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,6,12,20,22,23)
	Forced labor in domestic work, herding, street vending, construction, and traditional weaving of handwoven textiles, each sometimes as a result of human trafficking (6,10,24-26)
	Recruitment of children by non-state armed groups for use in armed conflict (6,17)

† 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.

Ethiopian children voluntarily travel to Amhara, a region bordering a key irregular migration route to Europe, to harvest sesame. This sector is allegedly linked to overland smuggling networks, with children earning enough to fund passage to Europe via North Africa. (14,15) Many others journey through Djibouti en route to Persian Gulf states, where they are often intercepted, repatriated, and later routed to a transition center in Addis Ababa. (14) Somaliland intercepts between 50 and 100 children a week, many under the age of 13, from Amhara and Oromia on their way to the Middle East. (14,27) Children who begin as voluntary migrants may be forced into commercial sexual exploitation, or become victims of forced labor. (22,23) Research on child trafficking victims from SNNPR and Oromia indicates that 85 percent were rescued from or escaped domestic work, while 2/3 suffered exploitation and abuse. While 55 percent of the surveyed children were sent to Addis Ababa by family, another 11 percent were actively exploited by brokers within their communities. (26) The children surveyed were mostly from families that continue to play a role in financing and coercing their children to go abroad or to urban areas to look for work. (22,25,28) Trusted community members, known as *manamasas*, recruit and groom vulnerable youth on behalf of local and international human trafficking syndicates. (23,29) Traffickers also exploit children from rural areas surrounding Addis Ababa and other regions of the country for forced labor in the weaving industry, street vending, construction, and domestic work. (10,23,25) Traffickers exploit Ethiopian girls in commercial sex and domestic servitude in neighboring countries. (23) In addition, children in Oromia and Amhara reportedly harvest and sell khat, a stimulant to which they may become addicted due to bodily contact with the plants’ excretions during harvest. (12,14) The plant releases two highly addictive central nervous system stimulants – cathinone and cathine – whose acute and long-term neurological effects include khat-induced psychosis. (13,14)

In November 2020, a conflict erupted in northern Tigray between government forces and the Tigray People's Liberation Front (TPLF); the conflict is ongoing. (30) By early December, more than 45,000 Ethiopians fleeing the war had crossed into Sudan, up to one-half of whom were children. (30) Hundreds of children crossed the border alone, leaving them vulnerable to labor exploitation and human trafficking. Moreover, unconfirmed reporting indicates the TPLF has recruited children, most of them teenagers, during the conflict. (6,17,30,31) Reports on the Tigray conflict also indicate sexual and gender-based violence is being used against women and girls. (32,33) At least 200 rape victims under the age of 18 were admitted to local hospitals in January; the majority reported that perpetrators wore Ethiopian army uniforms. (34) A military blockade has also disrupted emergency humanitarian aid distribution networks. (33,34) As a result of the ongoing violence in Tigray, some 2.3 million children in the region lack access to humanitarian assistance, and 1.3 million were unable to attend school. (6,35,36) In addition, 12,000 children who fled to Sudan to escape the conflict in Tigray had no access to education other than makeshift classrooms set up by NGOs operating across the border. (17,37)

Precise figures are in dispute, although the UN and other humanitarian organizations estimate that 1.1 million children were displaced in 2020, 66 percent due to armed conflict. (12,35,36,38) Ethnic unrest was also recorded in Oromia, Amhara, and SNNPR, and research suggests the Oromo Liberation Army-Shane may have recruited child soldiers. (6,39)






In 2020, COVID-19 pandemic-induced school closures affected an estimated 26 million children, 77% of whom are of primary school age. (17,40) With infrastructure for remote learning effectively non-existent, many children remained out of school for many months, and some have still not returned. These children are acutely vulnerable to exploitation and abuse, including child labor. (17,40) Armed conflicts and resulting humanitarian crises have also disrupted education in other parts of the country. Children in rural areas face additional barriers to education, including the distance they 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. 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. (5,6,41) Armed elements, including the TPLF and the Ethiopian National Defense Force, targeted schools in Tigray with rocket and artillery fire. Non-state armed groups in Tigray and the western part of Oromia also occupied schools for military purposes. (12,27,42,43) These factors increase children's risk of entering the workforce at a young age. (11,12,36,41)

## 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 free and compulsory education.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Articles 4.1, 89.1–89.2, 89.3, and 185 of the Labor Proclamation 1156/2019 (44)
Minimum Age for Hazardous Work	No	18	Article 36.1(d) of the Constitution; Articles 89.3–89.4 of the Labor Proclamation 1156/2019 (44,45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 89.3–89.4, and 186.1 of the Labor Proclamation 1156/2019; Directive on Prohibited Occupations for Young Workers (44,46)
Prohibition of Forced Labor	Yes		Article 18.3 of the Constitution; Article 596 of the Criminal Code; Articles 3.1–3.2, and 4.1–4.3 of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020 (45,47,48)
Prohibition of Child Trafficking	Yes		Article 18.2 of the Constitution; Articles 597, 635, 636, and 637 of the Criminal Code; Articles 3.1–3.5 and 4.1 of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020 (45,47,49)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 634–636 of the Criminal Code; Articles 3.1–3.5 and 4.1 of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020 (47,48)

# Ethiopia

## 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 525 of the Criminal Code; Articles 3.1–3.2 and 4.1–4.3 of the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178-2020 (47,48)
Minimum Age for Voluntary State Military Recruitment	Yes	18‡	Article 270 of the Criminal Code (47)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 3.1–3.2 and 4.1–4.3 of the Proclamation to Provide for the Prevention and Suppression of Trafficking in Persons and Smuggling of Migrants (48)
Compulsory Education Age	No		
Free Public Education	No		

\* No conscription (47)

‡ Age calculated based on available information (6)

In February 2020, the government enacted the Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation No. 1178, and the law was published in April. (29,48) The proclamation amends penalties for commercial sexual exploitation of children, child trafficking, and certain forms of child labor exploitation. (6,48) However, under the new law, the recruitment of children by non-state armed forces is not criminalized. (48) Moreover, not all Ethiopian laws related to child labor are in compliance with international standards. The types of hazardous work prohibited for children do not cover traditional weaving, an area of work in which there is evidence that children use dangerous machinery, equipment, and tools, and lift or transport heavy loads. (44,46) Moreover, Article 89.5 of the Labor Proclamation allows children ages 15 to 16 to engage in certain forms of hazardous work following the completion of a government-approved and inspected vocational training course. This contradicts ILO C. 138, which prohibits hazardous work for all children under age 16. (44,50) The Government of Ethiopia notes that, in practice, children begin apprenticeships after the completion of 10th grade, typically at age 16 or 17. (51) The Ministry of Labor and Social Affairs (MOLSA) is currently revising the accompanying Directive on Prohibited Occupations for Young Workers; research has not determined whether this will extend further protections to young workers. (12,17) Finally, Ethiopia does not have a minimum compulsory education age, and its laws do not provide for free public education. (6)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws, including financial resource allocation.

**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 through its regional Bureaus of Labor and Social Affairs. (12) Through its National Referral Mechanism (NRM), coordinates victim referral to social services providers. (28)
Ethiopian Federal Police Commission	Enforces criminal laws against the worst forms of child labor, including child trafficking and the commercial sexual exploitation of children. (12) Combats child trafficking and assists vulnerable children through its Special Child Protection Units in Addis Ababa and other major cities. (12,24,52) Refers cases to the Ministry of Women, Children, and Youth (MoWCY), which develops and implements programs to protect vulnerable children and monitor alleged violations of child protection laws, including the worst forms of child labor. (1,53) MoWCY also maintains rehabilitation centers and coordinates foster families for children rescued from the worst forms of child labor. (12)
Office of the Attorney General	Prosecutes criminal violations of child labor laws, including through its Special Investigative Unit for Women and Children. (12)

**Labor Law Enforcement**

In 2020, 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 financial and human resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$220,673 (12)	\$153,000 (17)
Number of Labor Inspectors	685 (12)	621 (17)
Inspectorate Authorized to Assess Penalties	No (12,44)	No (6,17,44)
Initial Training for New Labor Inspectors	No (12)	Yes (17)
Training on New Laws Related to Child Labor	Yes (12)	Yes (17)
Refresher Courses Provided	Yes (12)	Yes (17)
Number of Labor Inspections Conducted	41,738 (12)	43,360 (17)
Number Conducted at Worksite	41,738 (12)	43,360 (17)
Number of Child Labor Violations Found	Unknown (12)	3 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	Unknown (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	Unknown (17)
Routine Inspections Conducted	Yes (12)	Yes (17)
Routine Inspections Targeted	Yes (12)	Yes (17)
Unannounced Inspections Permitted	Yes (44)	Yes (44)
Unannounced Inspections Conducted	Yes (12)	Yes (17)
Complaint Mechanism Exists	Yes (12)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (17)

The government imposed a state of emergency in March and April of 2020 to mitigate community transmission of COVID-19. To protect inspectors and workers, MOLSA only conducted complaint-based inspections during this period. (17) In 2020, labor inspections focused on the construction, mining, and agricultural sectors, including the floricultural industry, in which child labor is known to occur; the government also conducted on-site inspection in local languages. Nevertheless, data on violations are not aggregated at the national level, and the government did not publish the number of child labor violations identified as a result of these inspections. (4,12,17) Labor inspectors refer child labor violations to judicial authorities, who are able to assess penalties. (6,44) During the reporting period, however, the government did not provide information on prosecutions or convictions related to child labor. (17)

Although the total number of labor inspectors dropped from the previous reporting period, the inspectorate hired 74 new labor inspectors in 2020, bringing the total number of inspectors to 621. (17) In 2020, the government began to implement a strategy to automate and digitalize inspection workplace systems. MOLSA collaborated with ILO to develop a digital inspection system, which was completed in 2020. (6) Implementation is planned for 2021. (17) With support from the German Society for International Cooperation, the labor inspectorate provided Training-of-Trainers (ToT) sessions on the 2019 Labor Proclamation and the use of labor inspection monitoring equipment. The ToT trainings were provided three times during the reporting period. (17)

However, the number of labor inspectors remains 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 would employ about 1,321 inspectors. (54,55) In addition, MOLSA and other stakeholders report that a lack of resources and poor coordination among agencies hampered their ability to enforce child labor laws. (4,12)

# Ethiopia

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### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (12)	Unknown (6,17)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (12)	Unknown (6,17)
Refresher Courses Provided	Yes (12)	Unknown (6,17)
Number of Investigations	Unknown (12)	Unknown (6,17)
Number of Violations Found	Unknown (12)	Unknown (6,17)
Number of Prosecutions Initiated	Unknown (12)	Unknown (6,17)
Number of Convictions	Unknown (12)	Unknown (6,17)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (12)	Unknown (6,17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (6)

The 2020 Prevention and Suppression of Trafficking in Persons and Smuggling of Persons Proclamation stipulates aggravated penalties for criminal convictions involving children for a number of offenses, including debt bondage, slavery, human trafficking, and certain forms of labor and sexual exploitation. (48) Under the new legislation, crimes against a child or a mentally ill or physically disabled person carry sentences of 10–20 years and a fine of \$742–\$2,472 (30,000–100,000 birr). (26,48) Moreover, for the first time in 20 years, the Attorney General’s Office disaggregated prosecution datasets for transnational and internal trafficking-in-persons violations. However, the government did not otherwise provide criminal law enforcement data for inclusion in this report. (4,12,23) Enforcement efforts continued to focus on transnational human trafficking for the purpose of forced labor, to the detriment of internal human trafficking, including trafficking children for the purposes of commercial sexual exploitation. (23)

Ethiopian immigration and border patrol authorities refer human trafficking victims to NGO-run shelters, in which victims are given first aid and assistance to return home. Although the shelters 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 Persian Gulf States. (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 coordination between agencies.

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

Coordinating Body	Role & Description
National Steering Committees	Include the National Steering Committee on the Worst Forms of Child Labor, which coordinates activities on the worst forms of child labor. Members include MOLSA, the MoWCY, and the Ministry of Education. (4,22) The National Steering Committee Against Sexual Abuse and Exploitation of Children also develops action plans and coordinates activities to combat the commercial sexual exploitation of children. (22,53) The committee was not active during the reporting period. (56)
MOLSA National Forum to Eliminate the Worst Forms of Child Labor	Combats the worst forms of child labor at the national level. The forum was not active during the reporting period. (4,6,56)

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

Coordinating Body	Role & Description
National Anti-Human Trafficking and Smuggling Mechanisms	The government overhauled its national counter-trafficking framework during the reporting period. (26) Under Proclamation 1178/2020, the new structure organizes over 32 government and non-government entities into the National Council and the National Partnership Coalition (NPC). The National Council is responsible for the creation of policies and strategies for the prevention of smuggling and trafficking in persons and issuing directives. (26) The Deputy Prime Minister chairs the Council, which includes representatives from the Federal Attorney General's Office, the Ministry of Foreign Affairs, the Ministry of Peace, MOLSA, the Refugees and Returnees Affairs Agency, MoWCY, the Commission of Job Creation, the Ministry of Health, the Federal Police Commission, the National Bank, the Central Statistics Agency, the National Intelligence and Security Services, Regional Governments, the Civil Societies Agency, and religious institutions. (26) In 2020, the Council passed the directive for NRM, which establishes the legislation underpinning the NRM's implementation. (26) The NPC, meanwhile, is accountable to the National Council. Its mandate includes researching policies and strategies, developing directives for the national referral system, and preparing program and action plans for implementation. (26) The NPC also oversees ten working groups that specialize in multiple anti-trafficking in persons sectors, including a Women and Children Support and Protection Working Group. (26) The government's efforts are supplemented by IOM-funded community awareness centers and by the German Society for International Cooperation's Better Migration Management Project, which is focused on capacity building. (29)
National and Regional Task Forces on Orphans and Vulnerable Children	Promote children's rights; chaired by members of the federal government and state ministers and led by the MoWCY in all nine regional capitals and two city administrations. (53,57) Research was unable to determine whether task forces were active during the reporting period.

Limited committee budgets, overlapping mandates, and poor coordination between the committees and agencies hindered coordination efforts to address child labor at a national and regional level. (22,28)

## 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 Education and Children's Policies	Promote children's rights and combat child trafficking, commercial sexual exploitation, and the worst forms of child labor. The National Children's Policy facilitates access to quality primary and secondary education for out-of-school youth, including in rural areas, and provides measures against exploitation and trafficking in persons. (58) National policies to improve access to quality education include the Education Sector Development Program V (2015–2020), which aimed to improve attendance rates and learning outcomes through enhanced equity, access, quality, and efficiency; the Ethiopian Education Development Roadmap (2018–2030), which aims to make education free and compulsory; the Education and Training Policy, which prioritizes government support for education through grade 10; the Pastoralist Area Education Strategy, which provides for alternative education in pastoralist communities; and the National Technical & Vocational Education & Training Strategy, which aims to improve access to vocational education for girls and out-of-school children. (41,59–62) 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. (60–62)
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) In 2020, labor inspectors received training on a digital workplace inspection system, with implementation planned for 2021. (17)
The United Nations Development Assistance Framework (2016–2020)	Promoted improved access to education and livelihood services for vulnerable children. Sought to protect children from abuse, violence, and exploitation, and to rehabilitate victims of violence and exploitation. (64) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Human Rights Action Plan II (2016–2020)	Aimed to promote human rights in line with Ethiopia's second Growth and Transformation Plan. Objectives included the creation of detailed manuals on crime investigation, combating both domestic and international trafficking in persons, and improving the ability of civil society organizations to secure local funding towards these objectives. (65,66) The plan also covered human rights violations in the private sector and encouraged private sector companies to undertake human rights due diligence to prevent child labor, forced labor, and other human rights violations. (65,66) Research was unable to determine whether activities were 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. (53,67–72)



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In 2019, Ethiopia became a Pathfinder country under Alliance 8.7. This involves accelerating progress toward achieving commitments under Sustainable Development Goal (SDG) Target 8.7, which calls for the eradication of child labor by 2025, and the elimination of forced labor, modern slavery, and human trafficking by 2030. (73) To this end, in 2020, Ethiopia's Minister of Labor and Social Affairs attended a virtual conference with SDG Alliance 8.7 Pathfinder countries, during which she shared Ethiopia's pandemic tripartite workplace response protocol. (17) The minister also spoke at the High-Level Political Forum on Sustainable Development, which took place in July 2020 under the auspices of the Economic and Security Council. The aim of the meeting was to develop effective measures to eradicate forced labor; end modern slavery and human trafficking; secure the prohibition and elimination of the worst forms of child labor, including recruitment and use of child soldiers, and, by 2025, end child labor in all its forms. (6)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 adequacy of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Government of Ethiopia Programs*†	In 2020, the Ministry of Education announced a school feeding project benefiting 163,021 pre-primary and primary school students in 499 schools in 5 regional states. The project targets Oromia, Amhara, Sidama, Somali, and Afar, and its goal is to improve attendance and learning. (17) The Global Partnership for Education, a USAID partner, provided \$21.4 million for the project, which will be implemented by Save the Children. (17) The government also allocated \$48,223,349 (1.9 billion birr) to the same regions to feed 1.4 million students. (17) In 2020, the Addis Ababa City Administration also provided meals, books, and writing equipment to more than 300,000 students. (6) In an effort to address the challenge of lack of food, some schools instituted school feeding programs. Separately, the government established an initiative to provide temporary shelter for destitute urban children. At the direction of Ethiopian Prime Minister Abiy Ahmed, the government set aside two hectares of land in Akaki Kality Sub City; the Tewodros Ashenafi Foundation then provided \$634,357 (25 million birr) for the construction of a transitional shelter with a holding capacity of 2,000 children. (6) The Foundation handed over management of the facility to the Addis Ababa Bureau of Labor and Social Affairs in May 2020. (17) The shelter provides basic services, including psychosocial support, life skills, and education and training, to enable children's reintegration into society. The initiative is part of Ethiopia's national reform agenda. (6,17)
World Vision Programs	Includes Effective Approaches in Ending the Worst Forms of Child Labor (EAPEC) (2019–2022), an international program designed to test and measure innovative approaches to reduce the worst forms of child labor; targets approximately 500,000 at-risk youth in the Democratic Republic of Congo, Central African Republic, and Ethiopia, including victims of child commercial sexual exploitation and child soldiering, and children engaged in hazardous work. The program's efforts are coordinated by World Vision, with funding by a consortium of NGOs and multilaterals, including UN Global Compact, the Global Compact UK, War Child UK, Thompson Reuters, and the private sector. (14,74,75) In 2020, World Vision expanded training programs designed to build detection capacity to all nine regional governments. The NGO trained regional labor inspector team leads to operate monitoring equipment. (17) In addition, World Vision is working directly with Ethiopia's nine regional governments to incorporate child labor issues into their action plans. (14)
World Bank-Funded Projects†	Includes ET Productive Safety Nets Project 4 (PSNP 4) (2014–2020)†, a \$2.77 billion project that aimed to improve access to social safety nets, including cash and in-kind transfers to orphans and vulnerable children. As of December 2020, 8,300,000 individuals had benefited from the program. (76,77-81) The Ethiopia General Education Quality Improvement Program for Equity (GEQIP-E) (2017–2022)† is a \$300 million program that works with the Ministry of Education to improve education quality and access. (82-77) GEQIP-E worked with the Ministry of Education to create budget lines for school grants and textbooks. (78,79) The World Bank approved the Urban Productive Safety Net and Jobs Project (2020–2025)* on September 30, 2020. The project will target disadvantaged youth and the urban poor through labor market inclusion programs, including 6 month apprenticeship programs. (17,84)
UNICEF-Funded Programs	Includes UNICEF-funded programs to improve social safety nets and improve access to education include Child-to-Child and Accelerated School Readiness programs, which extend educational opportunities to internally displaced children, and the Integrated Safety Nets Program (2017–2023). (12,85) UNICEF, the Swedish International Development Agency, and MOLSA are also jointly funding the Urban Productive Safety Net Program, which aims to improve nutritional and educational outcomes in Amhara and Addis Ababa through cash transfers and linking participants to basic social services. (12,86) In 2020, UNICEF educational services reached 1 in 5 vulnerable children in Ethiopia, providing them with early learning, informal, and non-formal educational services. (7,35)

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

Program	Description
USDOL-Funded Project*	Includes <u>She Thrives: Reducing Child Labor in Ethiopia's Agricultural Sector using a Gender-Focused Approach (2020-2025)</u> , a \$5 million USDOL-funded, 4 year project implemented by Cooperative for Assistance and Relief Everywhere, Inc. to use a gender mainstreaming approach to address child labor in coffee production in Oromia and the Southern Nations, Nationalities, and Peoples' Region. (87) Additional information is available on the USDOL <a href="#">website</a> .

\* Program was launched during the reporting period.

† Program is co-funded by the Government of Ethiopia. (17,18)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (88,89)

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 paucity of rehabilitation and reintegration centers throughout the country for victims of child trafficking or commercial sexual exploitation. (3,22) Moreover, both government and NGO-run shelters were unable to accept referrals of vulnerable children during the first months of the pandemic because they had to create separate areas for newcomers to quarantine. (6)

## 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	Raise the minimum age at which children may enter hazardous work following vocational training from age 15 to age 16, in line with ILO C. 138.	2009 – 2020
	Ensure that the types of hazardous work prohibited for children are comprehensive, including hazardous tasks in traditional weaving.	2016 – 2020
	Criminalize the recruitment of children by non-state armed groups.	2020
	Establish by law free basic education.	2012 – 2020
	Establish by law a compulsory education age, and ensure that the age is consistent with the minimum age of employment.	2012 – 2020
Enforcement	Strengthen the labor inspectorate by permitting labor inspectors to assess penalties.	2013 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that labor inspectors have sufficient resources to conduct inspections in all sectors and are able to coordinate adequately with other agencies.	2009 – 2020
	Ensure that both domestic and transnational child trafficking cases are investigated and violations punished.	2013 – 2020
	Gather, disaggregate, and publish information on the number of child labor violations found and penalties applied and collected, the number of investigations conducted, prosecutions initiated, and convictions obtained.	2009 – 2020
Coordination	Clarify individual mandates for coordinating mechanisms charged with combating child labor, and enhance inter-committee communication, coordination, and collaboration.	2015 – 2020
	Ensure all coordinating bodies are funded and able to carry out their intended mandates.	2020
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 – 2020
	Ensure existing policies and action plans to address the worst forms of child labor are implemented as intended.	2018 – 2020
	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2020
Social Programs	Increase access to education for all children by decreasing the distance to schools in rural areas, hiring additional teachers, constructing sanitation facilities, and eliminating school-related costs.	2010 – 2020
	Develop or expand social protection programs to withdraw children from all sectors, including agriculture and domestic work.	2009 – 2020
	Ensure that social services, such as rehabilitation and reintegration centers, are available throughout the country.	2009 – 2020

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# Falkland Islands (Islas Malvinas)

## MINIMAL ADVANCEMENT

Although research found no evidence that child labor exists in the Falkland Islands (Islas Malvinas), in 2020 the government made minimal advancement in efforts to prevent the worst forms of child labor. During the reporting period, the Safeguarding Children's Board met quarterly and published an annual report on activities through March 2020. The minimum ages for work and for hazardous work do not meet international standards, and the law does not prohibit adults from using, procuring, and offering a child 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 Falkland Islands (Islas Malvinas). (1,2) Data on key indicators on children's work and education in the Falkland Islands (Islas Malvinas) 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. (2) The Falkland Islands (Islas Malvinas) generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws. Under Article 35(4) of the ILO Constitution, when the UK ratifies a Convention, the Territory must consider if it will accept the Convention. (2) If the Convention is accepted, it is considered applicable to that territory. The following Conventions have been extended to and accepted by the Falkland Islands (Islas Malvinas) (Table 1). (2)

**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 (Islas Malvinas) has established laws and regulations related to child labor (Table 2). However, gaps exist in the Falkland Islands' (Islas Malvinas') 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 (3)
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 (3,4)
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 (3,4)
Prohibition of Forced Labor	Yes		Section 117 of the Crimes Ordinance of 2014; Chapter 1, Section 4 of the Constitution Order (5,6)

# Falkland Islands (Islas Malvinas)

## MINIMAL ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Section 87 of the Crimes Ordinance of 2014; Part I, Sections 57–60 of the Sexual Offences Act (5,7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 259–263 of the Crimes Ordinance of 2014; Part I of the Sexual Offences Act (5,7)
Prohibition of Using Children in Illicit Activities	No		
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 I, Section 12 of the Constitution Order (6,8)
Free Public Education	Yes		Education Amendment Ordinance; Chapter I, Section 12 of the Constitution Order (6,8)

\* No conscription (9)

The minimum age of 14 for work and the minimum age of 16 for hazardous work are not in compliance with international standards. 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. (4,10) The Government of the Falkland Islands (Islas Malvinas) has not determined by national law or regulation the types of hazardous work prohibited for children, other than industrial undertakings. (3,4) The law also does not prohibit adults from using, procuring, or offering a child in the production and trafficking of drugs.

### 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. However, the Government of the Falkland Islands (Islas Malvinas) has established an institutional mechanism for the enforcement of laws and regulations on child labor (Table 3).

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Royal Falkland Islands Police	Enforces laws including those protecting children against abuses. Participates in the Safeguarding Children Board. (11,12)

### 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 (Islas Malvinas) 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 abuse. 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. (12) Meets quarterly and published an annual report in October 2020. (13)

### 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 (Islas Malvinas) (Table 5).

**Table 5. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify international conventions on child labor.	2020
	Raise the minimum age for work to at least 15 and up to the age to which education is compulsory in all sectors.	2017 – 2020
	Ensure that the minimum age for hazardous work is age 18 and that national law determines prohibited work activities for children.	2015 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2012 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020

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In 2020, Fiji made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved its first National Action Plan and National Strategy for Combating Human Trafficking, which contains provisions to address child labor, including its worst forms, and child trafficking in Fiji. Also during the reporting period, the Inter-Agency National Human Trafficking Committee met for the first time since 2011. However, children in Fiji are subjected to 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. Fiji's light work provisions are not specific enough to prevent children from being involved in child labor. In addition, social programs undertaken by the government are insufficient to support children vulnerable to commercial sexual exploitation, human trafficking, and involuntary domestic work.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Fiji are subjected to 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 (%)		108.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Data were unavailable from International Labor Organization's analysis, 2021. (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 (1,7)
	Planting, picking, and using chemicals† on tobacco (1)
	Collecting and splitting coconuts; harvesting rice; planting, harvesting, weeding, and spraying fertilizers on roots (including <i>dalo</i> and <i>yaqona</i> ); and planting and harvesting other kinds of fruits and vegetables† (1)
	Pig farming and goat and cattle herding (1)
	Fishing† and deep-sea diving† (1,7)
Services	Street work, including pushing wheelbarrows for shoppers in markets, vending, washing cars, shining shoes, begging, and selling fruit and other foods (1,7-10)
	Domestic work (1,7)
	Working in garages, in retail shops, or roadside stalls (7)
	Collecting bottles† and scrap metal† (1,7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,7,10-16)
	Use in the production of pornography (7,14,15)
	Forced labor in agriculture, begging, and domestic work, each sometimes as a result of human trafficking (4)
	Use in illicit activities, including drug trafficking (17,18)

† 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.

## MODERATE ADVANCEMENT




Children are subjected to commercial sexual exploitation in Fiji, particularly by family members, taxi drivers, foreign tourists, businesspersons, and crew on foreign fishing vessels. (1,4,7,10-12,15,16,19) The NGO Pacific Dialogue and the ILO stated that they have received reports of children subjected to organized prostitution, including being advertised online. (20) In addition, research shows that children in Fiji are subjected to online commercial sexual exploitation, including child pornography. (14-16) 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. (4,10,21) Street children in Fiji are vulnerable to multiple forms of labor and sexual exploitation, such as commercial sexual exploitation and human trafficking. (7,10,16,22) In addition, there were some media reports of children involved in selling drugs in Fiji. (17,18)

During the reporting period, Tropical Cyclone Yasa hit Vanua Levu, one of Fiji's main islands, causing destruction of homes, schools, and buildings, and leaving thousands of children vulnerable. (7) The Ministry of Education, Heritage and Arts, with support from UNICEF, is in the process of identifying damages to school buildings as part of the government's disaster response. (23) In addition to natural disasters, the COVID-19 pandemic profoundly impacted students' access to education in Fiji. Nationwide school closures affected low-income families, single parent families, and children with special education needs. (7) Overall, natural disasters and the pandemic increased children's vulnerabilities to the worst forms of child labor and human trafficking in Fiji. (10)

## 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	✓

During the reporting period, the Fijian Parliament approved reports on the review of the UN CRC Optional Protocol on Armed Conflict and the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. Recommendations for ratification will be implemented through a legislative amendment. (7,24,25)

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 identification of light work activities permissible for children.

**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 (26)
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 (27,28)



**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 Prohibited to Children Under 18 Years of Age Order (28)
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 (26,29,30)
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 (26,29,30)
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 (26,30,31)
Prohibition of Using Children in Illicit Activities	Yes		Article 91 of the Employment Relations Promulgation; Article 58 of the Juveniles Act (26,32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of the Royal Fiji Military Forces Act (33)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 7 of the Royal Fiji Military Forces Act (33)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15	Compulsory Education Order; Compulsory Education Regulations (34)
Free Public Education	Yes		Article 31 of the Constitution of Fiji (35)

\* No conscription (33)

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. (26,36)

### 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 enforcement agencies 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) Maintains a 24 hour phone line to accept reports of child labor and refers children to social services when appropriate. (2,7) With the establishment of a Labor Inspection System on Child Labor, over 200 child labor cases have been investigated since 2011. (37,38)
Employment Relations Tribunal	Adjudicates alleged violations of child labor provisions in the Employment Relations Promulgation. (7)
Fiji Police Force	Investigates criminal violations regarding child labor, child trafficking, and commercial sexual exploitation. Enforces laws on child trafficking, commercial sexual exploitation, and illicit activities. (7) Maintains a Human Trafficking Unit and provides training to other police units focused on combating human trafficking. (19) Collaborates with the Australian Federal Police to combat potential child sex tourism by Australian nationals, who comprise the largest tourist group visiting Fiji. (39)
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)
Office of the Director of Public Prosecutions	Enforces laws on child trafficking. (40)

## MODERATE ADVANCEMENT

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Fiji took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Productivity, and Industrial Relations (MEPIR) that may hinder adequate labor law enforcement, including that inspectors must first seek the business owners' permission before conducting inspections in the informal sector.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$3.9 million (20)	Unknown (7)
Number of Labor Inspectors	73 (20)	45 (7)
Inspectorate Authorized to Assess Penalties	Yes (20)	Yes (26)
Initial Training for New Labor Inspectors	Yes (20)	No (7)
Training on New Laws Related to Child Labor	N/A (20)	N/A
Refresher Courses Provided	Yes (20)	Yes (7)
Number of Labor Inspections Conducted	3,562 (20)	843 (7)
Number Conducted at Worksite	3,562 (20)	843 (7)
Number of Child Labor Violations Found	41 (20)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (20)	0 (7)
Number of Child Labor Penalties Imposed that Were Collected	N/A (20)	0 (7)
Routine Inspections Conducted	Yes (20)	Yes (7)
Routine Inspections Targeted	Yes (20)	No (7)
Unannounced Inspections Permitted	Yes (20)	Yes (26)
Unannounced Inspections Conducted	Yes (20)	Yes (10)
Complaint Mechanism Exists	Yes (20)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (20)	Yes (7)

The Child Labor Unit within MEPIR was disbanded, and now all labor inspectors are expected to look for child labor violations during inspections. (20) During the reporting period, the government employed 45 labor inspectors, down from 73 in 2019. However, government officials confirmed that the number of inspectors was sufficient to enforce labor laws in Fiji. (7) Inspections are conducted in the workers' language, including English, indigenous Fijian (iTaukei), and Hindi. (2) The Department of Labor conducted 843 inspections during the reporting period and confirmed that no major child labor violations were detected. However, it was reported that the department resolved minor complaints received about children selling food on the street through briefings with parents about child labor laws, rather than imposing penalties. (7)

Although information on the budget allocation to the Department of Labor for the 2020/2021 fiscal year is available, there is no breakdown information available for the allocation to the labor inspectorate. (7)

During the reporting period, MEPIR announced that 231 children engaged in child labor had been withdrawn and returned to school or admitted to technical training programs. (41)

### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (20)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (20)	N/A
Refresher Courses Provided	Yes (20)	Unknown (7)

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

Overview of Criminal Law Enforcement	2019	2020
Number of Investigations	2 (20)	Unknown (7)
Number of Violations Found	2 (20)	Unknown (7)
Number of Prosecutions Initiated	1 (20)	0 (7)
Number of Convictions	1 (20)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (20)	No (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (7)

In Fiji, criminal authority agencies, including the Fiji Police Force, can refer children found in cases of the worst forms of child labor on a case-by-case basis to the Department of Social Welfare. (7)

#### 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-Agency Network	Focuses on child labor issues at the district and provincial level. Monitors and reports cases of non-compliance. (42) Chaired by the Ministry of Employment, Productivity and Industrial Relations. (43) Comprises inter-agency committees in nine towns in Fiji. (42) This coordinating body was active during the reporting period. (7)
National Coordinating Committee on Children	Coordinates child labor and child safety enforcement efforts. Comprising the Fiji Police Force, the Public Prosecutor's Office, the Solicitor General's Office, the Department of Social Welfare, MEPIR, the Ministry of Health, the Ministry of Education, and NGOs that work on child labor issues. (7) This coordinating body was active during the reporting period. (7)
Inter-Agency Committee on Child Abuse	Investigates child labor cases, refers children to school, and monitors cases when a referral is made to the Department of Social Welfare. (2,3,44) Shares information on child labor cases, including the worst forms of child labor. (7) This coordinating body was active during the reporting period. (7)
Inter-Agency Taskforce on Beggars	Addresses issues concerning children who beg and other exploited children. Ministry of Social Welfare, Women, and Poverty Alleviation and police regularly conduct patrols to identify and assist children. (43) This coordinating body was active during the reporting period. (7)
Inter-Agency Working Group on Human Trafficking	Oversees the human trafficking case management system by providing guidance on referral procedures when a potential human trafficking case, including child trafficking, is identified. (46,47) Led by the Ministry of Defense, National Security, and Policing and the Office of the Prime Minister, comprising technical working groups with senior government officials and assisted by international partners and civil society organizations. (48)

#### 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
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. (49) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy (2018–2022) during the reporting period.
National Action Plan and National Strategy for Combatting Human Trafficking†	Establishes oversight of anti-trafficking in persons operations and enhances the capabilities of law enforcement, including police, immigration, border security, and other regulatory bodies, to address the worst forms of child labor, including commercial sexual exploitation and the use of children in the production of pornography, as a result of human trafficking. (7,46,50,51)
Free Education Grant	Provides 12 years of tuition-free education for children with Fijian citizenship in 904 eligible primary and secondary schools. Also provides bus passes to students, and boats and outboard motors for island communities with staff and students commuting to school. (20) During the reporting period, the Ministry of Education (MOE) funded \$93,000 for the provision of boats and outboard motor engines to support students' transportation accessibility to schools, particularly for students in Fiji's maritime islands and rural areas. (7)

† Policy was approved during the reporting period.

## MODERATE ADVANCEMENT

Fiji is a Pathfinder country under Alliance 8.7, which involves a commitment to accelerate action toward achieving Sustainable Development Goal Target 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (53)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 victims of commercial sexual exploitation, human trafficking, and involuntary domestic work from being sent to live with other families.

**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. Prioritizes children's rights including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (54) Research was unable to determine whether activities were undertaken to implement the UNICEF Pacific Multi-Country Child Protection Program (2018–2022) during the reporting period.
Education Assistance Programs†	MOE Food Voucher and Bus Fare Assistance program provides \$24 in food vouchers and subsidized bus fares to families with combined annual income of less than \$7,382 to offset the cost of education for children attending remote schools. (44,55) MOE Tuition Fee Free Grant program provides subsidized tuition fee free grants for early childhood education centers or students attending preschool. (56) Both programs were active during the reporting period. (7)
Child Protection Program and Allowance†	Ministry of Women, Children, and Poverty Alleviation (MWCPA) Child Protection Program raises awareness of, and enacts recommendations from, the UN CRC. (20) In 2020, the government allocated \$6 million in funding for child protection allowance for approximately 8,366 households in Fiji, and increase from \$230,000 in 2019. (7) MWCPA Child Protection Allowance assists single mothers, widows, and children. (45)
Trafficking Victims Rehabilitation Programs†	Safety Net Project funds rehabilitation services for females who are under age 18 and victims of commercial sexual exploitation. Receives referrals from various entities, including the Fiji Police. (43) This program was active during the reporting period. (43) Homes of Hope is an NGO program that assists victims of sexual abuse and human trafficking. (20,45)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)	\$105,000 USDOL-funded global project implemented by the ILO, which aims to 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. (57) For additional information, please see our <a href="#">website</a> .

† 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. (7)

During the reporting period, the government increased its budgetary allocation to the Ministry of Women, Children, and Poverty Alleviation (MWCPA) and their child services programs. These allocations include \$147,000 in grants for NGOs caring for children under the care of MWCPA's Department of Social Welfare and \$98,000 for the national child helpline. (7)

Although Fiji has a program that targets child labor, the scope of this program is insufficient to fully address the extent of the problem, including children who may be sent to live with other families and subjected to commercial sexual exploitation, human trafficking, and involuntary domestic work. (4,20) While NGOs provide limited support services, these are concentrated in the capital city of Suva. (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 Fiji (Table 11).

**Table I I. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the UN CRC Optional Protocol on Armed Conflict.	2013 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2015 – 2020
Enforcement	Publish information on the labor inspectorate's funding.	2020
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020
	Publish criminal law enforcement information, including initial training for new criminal investigators, refresher courses, the number of investigations conducted, and the number of violations found for crimes relating to child labor, including its worst forms.	2020
Government Policies	Publish activities undertaken to implement the United Nations Pacific Strategy (2018–2022) during the reporting period.	2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Publish activities undertaken to implement the UNICEF Pacific Multi-Country Child Protection Program (2018–2022) during the reporting period.	2020
	Increase the availability of support services for children vulnerable to commercial sexual exploitation, human trafficking, and involuntary domestic work from living with other families.	2010 – 2020

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In 2020, Gabon made minimal advancement in efforts to eliminate the worst forms of child labor. In November, the Ministry of Justice, in coordination with UNICEF, began operating a hotline to alert authorities to possible child abuse cases, including instances of child labor. However, despite new initiatives to address child labor, Gabon is receiving an assessment of minimal advancement because it continued to implement a practice that delayed advancement to eliminate child labor. The government failed to provide evidence it conducted worksite inspections during the reporting period. 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. Children in Gabon are subjected to 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 domestic work. Gabonese law regarding minimum age for work provisions only applies to children in formal employment relationships, which does not conform to international standards that require all children to be protected by the minimum age for work. In addition, labor inspectors do not have the authority to assess penalties, and they lack the basic resources necessary to conduct investigations.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Gabon are subjected to 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 domestic work. (1-7) 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, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Deuxième Enquête Démographique et de Santé au Gabon (EDSG-II), 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	Fishing, including the production and sale of smoked fish (10,11)
Industry	Working in sand quarries† (1-3,11)
	Working in brick factories (10,11)
Services	Domestic work (4-7,10,11)
	Street vending, including windshield cleaning, cleaning market spaces at night, and carrying heavy loads† (1,7,10)
	Garbage scavenging (10,11)
	Working in restaurants (2,3)
	Working in transportation, including minibuses,† and as mechanics (1-3,10,11)

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## 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
Categorical Worst Forms of Child Labor†	Forced labor in markets, restaurants, handicraft shops, sand quarries, gold mines, 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 (6,7,11,13,14)

† 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.







Gabon is primarily a destination and transit country for victims of child trafficking from other countries in Central and West Africa. (10,11,15,16) 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. (15,16) There are reports that child victims of forced labor mainly work in the informal sector as street vendors, often selling beauty products and fruits. Boys often work in fishing, microbus transportation, mechanics shops, and cleaning market spaces after they have closed. Reports also indicate that West African traffickers reportedly exploit children from their countries of origin to work in Libreville markets and in other urban centers, including Port-Gentil. (10,11,14,17)

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. (11,18) Rural areas lack schools and teachers, and education beyond primary school is often unavailable. (1,11,19,20) Research suggests that some children, especially girls, are sexually abused at school. (2,21) 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. (1,2,11)

## 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 the Decree on Establishing Individual Exceptions to the Minimum Age for Admission to Employment (22-24)
Minimum Age for Hazardous Work	Yes	18	Article 1 of the Hazardous Work List (22,23,25)

**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		Articles 2, 3, and 5 of the Hazardous Work List (22,23,25)
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 (22,26)
Prohibition of Child Trafficking	Yes		Articles 3, 11–14, and 20 of Law N° 09/04 Preventing and Fighting Against Child Trafficking; Article 278 bis of the Penal Code; Articles 225 to 225-7 of Gabon's 2020 Revised Penal Code (26,27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 260, 261, and 263 of the Penal Code; Articles 225 to 225-7 and Articles 281-3 to 281-5 of Gabon's 2020 Revised Penal Code (27,28)
Prohibition of Using Children in Illicit Activities	Yes		Article 281-1 of Gabon's 2020 Revised Penal Code (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on the Organization of National Defense and Public Security (29)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 17 of the Law on the Organization of National Defense and Public Security (29)
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 340-6 of the Revised 2020 Penal Code (18,27,30)
Free Public Education	Yes		Articles 1.18 and 1.19 of the Constitution; Article 2 of Act N° 21/2011 on General Education (18,30)

\* No conscription (31)

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. (3,22)

Article 2 of Decree N° 065 I/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, determine the activities in which light work may be permitted, prescribe the number of hours per week for light work, or specify the conditions in which light work may be undertaken. (24)

Articles 225 to 225-7 of the revised 2020 Penal Code prohibits the recruitment, transportation, transfer, harboring, and receipt of persons for the purposes of exploitation, and imposes stricter penalties for trafficking in children. In addition, Gabon's revised Penal Code now prohibits the use, procuring, and offering of children for prostitution, the production of pornography, and pornographic performances. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Employment, Public Function, Labor and Professional Training	Receives, investigates, and addresses child labor complaints through its inspectors. (19) 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 for prosecution. (10,19) Refers cases of child labor to the MSPNS. The shelters for referred children are run by or work in close coordination with MSPNS. (1,15)
Ministry of Justice	Enforces child labor laws by prosecuting child labor cases. Assists in supporting victims of child trafficking while prosecutors and investigators prepare their cases. (1)

### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	Unknown (10)	Unknown (11)
Number of Labor Inspectors	Unknown (10)	Unknown (11)
Inspectorate Authorized to Assess Penalties	No (22)	No (11)
Initial Training for New Labor Inspectors	No (10)	No (11)
Training on New Laws Related to Child Labor	N/A (10)	N/A (11)
Refresher Courses Provided	Yes (10)	No (11)
Number of Labor Inspections Conducted	0 (10)	0 (11)
Number Conducted at Worksite	N/A (10)	N/A (11)
Number of Child Labor Violations Found	0 (10)	0 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (10)	N/A (11)
Number of Child Labor Penalties Imposed that Were Collected	N/A (10)	N/A (11)
Routine Inspections Conducted	Yes (10)	N/A (11)
Routine Inspections Targeted	Unknown (10)	Unknown (11)
Unannounced Inspections Permitted	Yes (22)	Yes (22)
Unannounced Inspections Conducted	Unknown (10)	No (11)
Complaint Mechanism Exists	Yes (10)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (11)

In January 2020, officials collaborated with an international organization to train approximately 70 law enforcement, social welfare, and civil society actors on victim-centered trafficking investigations. (14)

While the government did not provide information on labor inspectorate funding or the number of labor inspectors, research indicates inadequate resources, including an insufficient number of inspectors, may hamper the labor inspectorate's capacity to adequately conduct inspections and enforce labor laws throughout the country. (3,10,11,14,19) In addition, labor inspectors in Gabon are responsible for reconciling labor disputes, which may detract from their primary duty of inspection. (32)

Although inspectors have the authority to propose penalties to the court in accordance with legal guidelines, they do not have the authority to impose penalties since this is the purview of the court. (10)

### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	No (10)	No (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (10)	N/A (11)
Refresher Courses Provided	Unknown (10)	N/A (11)
Number of Investigations	1 (10)	Unknown (11)
Number of Violations Found	28 (10)	Unknown (11)
Number of Prosecutions Initiated	3 (10)	20 (17)
Number of Convictions	2 (10)	2 (17)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (10)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (11)

In November 2020, the Ministry of Justice, in coordination with UNICEF, started operating a hotline, the Supermwana line, to alert authorities to possible child abuse cases; these cases include instances of child labor. In addition, the government removed 80 children from exploitative settings and provided social services to all of them. (11)

In 2020, 16 people were arrested for forced labor or sex trafficking; they have been jailed while awaiting prosecution at the next special criminal session. (17) One of these investigations involved a Togolese woman exploiting children and adults which ended with her arrest. The other investigation involved a 15-year-old girl who had been trafficked from Togo. (11)

Authorities reported 20 cases for prosecution during the year, according to the Ministry of Justice. UNICEF stated the government prosecuted 18 Beninese and Togolese traffickers in 2019. Research found that Gabonese authorities do not have a consistent mechanism to report human trafficking statistics to Post. (14)

Despite these efforts, research has shown that a lack of resources, insufficient training, infrequent convening of the Criminal Court, a backlog of cases, and weak coordination among enforcement agencies hampered criminal enforcement efforts. In addition, evidence 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, 11, 15)

#### 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 for the Fight Against Child Trafficking (CNSLTE)	Led by the Ministry of Labor, includes representatives from four other ministries and civil society. (1, 19) Removes children from exploitative labor situations, provides social services, and repatriates victims when appropriate. (15, 19) 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. (33) Due to changes in the penal code, the CNSLTE became inactive during the reporting period. (10)
Ministry of Justice and Ministry of Interior	Coordinate national efforts against child trafficking and other worst forms of child labor. (1, 19)
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. Establishes and oversees committees to protect children's rights in all provinces. (34)
Local Vigilance Committees	Administered by CNSLTE and located in provincial capitals, identify potential cases of child trafficking, intercept victims, and assist children at risk of child trafficking. (35)
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, 15) MSPNS can also refer cases to the Ministry of Justice, which may pursue criminal charges. (10, 15)

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Due to changes in the penal code criminalizing all forms of human trafficking, the Inter-Ministerial Committee for the Fight Against Child Trafficking became inactive pending corresponding changes to the 2004 law on child trafficking. Instead, the Ministries of Justice and Interior were charged with coordinating action against the worst forms of child labor, including child trafficking. (10)

Research also indicates that the other coordinating committees lacked sufficient funding and members sometimes used their personal funds to support human trafficking victims. (1,11,33) All coordination committees were inactive during the reporting period. (11)

### V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the government has established policies to address child labor.

The government has not included child labor elimination and prevention strategies in the United Nations Development Assistance Framework (UNDAF) (2018–2022) or the Education Policy (2010–2020). (5,38,39)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that may contribute to 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
Shelters for Children in Need	Shelters provide social services to victims of child labor and child trafficking. The government provided in-kind support to shelters run by civil society organizations. (1,5,15,40) Victims received medical care, literacy training, and reintegration support. (1) In 2020, provided services to 80 children who were rescued from exploitative settings. (11)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (33)

Although Gabon has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (1,11) Research also indicates that shelter space is insufficient to accommodate all victims of human trafficking and other vulnerable children due to the government repeatedly decreasing funding for shelters and NGOs in previous years. (1,5,11,13,15,35)

### 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 Gabon (Table 10).

**Table 10. 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 – 2020
	Establish criminal prohibitions for the recruitment of children under age 18 for use in armed conflict by non-state armed groups.	2016 – 2020
	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 – 2020
Enforcement	Publish information on the funding level for the labor inspectorate, number of inspections, and number of labor inspectors, and ensure both inspectors and investigators receive adequate funding, training, and resources to carry out inspections and investigations.	2009 – 2020
	Strengthen the labor inspectorate by having inspectors to assess penalties and conduct routine and unannounced inspections, including in the informal sector.	2014 – 2020

**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor inspectors are not tasked with conciliation or arbitration duties so that they can carry out their primary duties of inspection and monitoring throughout the country.	2009 – 2020
	Ensure that the government conducts an adequate number of labor inspections and criminal investigations.	2018 – 2020
Coordination	Ensure that coordinating bodies are sufficiently funded to carry out their mandates, remain active, and report on their activities.	2013 – 2020
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including in activities such as domestic work and work in transportation.	2015 – 2020
	Integrate child labor elimination and prevention strategies into existing relevant policies.	2014 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2014 – 2020
	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; and make efforts to provide all children with birth registration.	2010 – 2020
	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 – 2020

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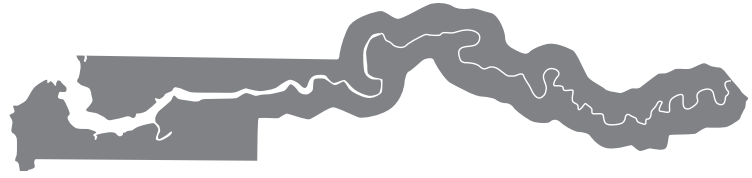
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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

In 2020, The Gambia made minimal advancement in efforts to eliminate the worst forms of child labor. The National Agency Against Trafficking in Persons developed a National Referral Mechanism for victims of human trafficking, and the Gambia Tourism Authority for the



Protection of Children trained hotel staff on the commercial sexual exploitation of children. However, despite these initiatives to address child labor, The Gambia is assessed as having made only minimal advancement because it implemented a practice that delays advancement to eliminate child labor. The labor inspectorate suspended inspections in March 2020 due to the COVID-19 pandemic. The government has not indicated when labor inspections will resume. 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. Children in The Gambia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. Gaps in the law remain, including that children may commence an apprenticeship at the age of 12. In addition, labor inspectors lack legal authorization to inspect private homes or farms in which children may be working.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in The Gambia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in forced begging. (1-6) Table 1 provides key indicators on children's work and education in The Gambia. 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	22.6 (unavailable)
Attending School (%)	5 to 14	78.2
Combining Work and School (%)	7 to 14	21.7
Primary Completion Rate (%)		78.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS), 2018. (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 protecting crops against animals (1,5)
Industry	Working in carpentry, masonry, sewing, plumbing, and in metal welding workshops† (1,3,5,9) Mining† and quarrying† (3)
Services	Domestic work (1-3,5) Street work, including begging and vending (1-3,5,10) Scavenging for scrap metal and jewelry at dump sites (1,11) Working as taxi and bus attendants (1) Working as auto mechanics† (1,3,5,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,12-15) Forced begging by Koranic teachers (1-4) Forced labor in domestic work and street vending, 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.



# The Gambia

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In The Gambia, children are trafficked internally and subjected to commercial sexual exploitation, forced labor, and domestic work. Girls and boys from other West African countries are allegedly trafficked for commercial sexual exploitation. (3,4,16,17) A civil society organization has alleged that some foreign nationals subject children to commercial sexual exploitation in brothels and motels in tourist areas and in private homes. (4,17-20) In The Gambia, it is a common practice to send boys to receive education from Koranic teachers who sometimes force students to beg in the streets for money and food and to conduct street vending. (16,19-22)

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. (6,23) Absence from school due to unpaid school fees increases children’s vulnerability to child labor. (6,23) 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. (3,19,22)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The Gambia 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 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, which is 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	18	Articles 2, 41, 45, and 47 of the Children’s Act (24)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Children’s Act; Article 46 of the Labour Act (24,25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 42,44 and 45 of the Children’s Act (24)
Prohibition of Forced Labor	Yes		Article 20 of the Constitution; Articles 41 and 47 of the Children’s Act (23,24)
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 (24,26,27)
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 (24,27)
Prohibition of Using Children in Illicit Activities	Yes		Articles 31 and 37 of the Children’s Act (24)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**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 59 of the Children's Act (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 59 of the Children's Act (24)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 31(c) of the Children's Act (24)
The Compulsory Education Age	No	16‡	Article 18 of the Children's Act (24)
Free Public Education	Yes		Article 30 of the Constitution; Article 18 of the Children's Act (23,24)

\* No conscription (28)

‡ Age calculated based on available information (23,24,29)

Per Article 51 of the Children's Act of 2005, the minimum age to start an apprenticeship is 12, or after completion of basic education, in violation of ILO Convention 138. (24) Children in The Gambia are required to attend school up to age 16, but this standard makes children ages 16-18 vulnerable to child labor as they are not required to attend school, but are not legally permitted to work. (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 enforcement agencies 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. (3,6)
Department of Social Welfare (DSW)	Combats forced child labor, coordinates the protection of human trafficking victims, and works closely with social welfare officers in police units. (19,20) Maintains an electronic database that contains information on cases requiring child protection, including those involving labor and human trafficking violations. (12,19,28) Housed under the Ministry of Health and Social Welfare. (3)
Children's Court	Adjudicates on criminal, civil, and care and protection cases involving children, and determines guardianship of child abuse victims, including child laborers, referred to the court by DSW. (20,30)
National Agency Against Trafficking in Persons (NAATIP)	Under the purview of the Ministry of Justice, investigates suspected cases of human trafficking. Staff include investigators, police, members of the National Intelligence Agency, and five prosecutors. (17,22,31,32) Gathers evidence for the NAATIP director, who can recommend that the NAATIP prosecutor file charges for human trafficking violations. (22,31) In addition, police and immigration officials have designated child and gender welfare officers who regularly receive training on identifying TIP cases and on offering immediate assistance. (32) During the reporting period, NAATIP conducted awareness campaigns and trainings on human trafficking. (5) NAATIP developed a National Referral Mechanism (NRM) for victims of human trafficking in The Gambia, incorporating an identification form to guide officials in proactive victim identification. The NRM's screening procedures are designed to identify victims of human trafficking among vulnerable groups, including children. (32)
The Gambia Police Force Child Welfare Unit	Oversees all situations involving children's welfare. Collaborates with Child Protection Alliance (CPA), DSW, NGOs, and other agencies as the designated governmental coordinating body for all child welfare activities in The Gambia. (3,19,33)
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 comprising immigration, intelligence, police, and drug law enforcement officers. (6,19,36)

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

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

Organization/Agency	Role
Local Enforcement Agencies	Monitor neighborhoods for child exploitation with support from DSW. Maintain six Neighborhood Watch Groups established by DSW in urban areas near tourist resorts. (18-20,22) Serve as volunteer arbiters and mediators for community disputes involving children and other matters through Village Development Committees. (3) Raise awareness and report cases of labor issues, including child labor, to the authorities through 15 Community Child Protection Committees in operation throughout the country. (22,28)
The Gambia Tourism Board	Combats commercial sexual exploitation of children in tourist areas. (19) Educates the public about child sex tourism and the consequences for violating the Code of Conduct of The Gambia Tourism Authority for the Protection of Children. In collaboration with DSW, maintains a database of individuals suspected of pedophilia or child trafficking. (19,22,37)

Reports indicate that the Neighborhood Watch Groups remain largely inadequate, as they are not empowered to monitor or report cases, are untrained, and only some groups are occasionally active. (19,21)

In spite of an increase in the National Agency Against Trafficking in Persons' budget, reporting indicates that funding, reflecting widespread budgetary constraints, is still insufficient for training of officials, thus hindering the agency's ability to conduct investigations on trafficking in persons. (3,4,14,18,22,38)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in The Gambia took actions to combat child labor (Table 6). However, gaps exist within the authority of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (19)	\$15,576 (5)
Number of Labor Inspectors	7 (19)	4‡ (5)
Inspectorate Authorized to Assess Penalties	Yes (19,25)	Yes (5,25)
Initial Training for New Labor Inspectors	Yes (19)	Yes (5)
Training on New Laws Related to Child Labor	N/A (19)	N/A (5)
Refresher Courses Provided	Yes (19)	Yes (5)
Number of Labor Inspections Conducted	Unknown (19)	5 (5)
Number Conducted at Worksite	Unknown (19)	5 (5)
Number of Child Labor Violations Found	1 (19)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (19)	N/A (5)
Number of Child Labor Penalties Imposed that Were Collected	N/A (19)	N/A (5)
Routine Inspections Conducted	Yes (19)	Yes (5)
Routine Inspections Targeted	Yes (38)	Yes (5)
Unannounced Inspections Permitted	Yes (25)	Yes (25)
Unannounced Inspections Conducted	Yes (19)	Yes (5)
Complaint Mechanism Exists	Yes (19)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (19)	Yes (5)

‡ Data are from January 1 to March 30, 2020. (5)

During the reporting period, labor inspectors received initial training and monthly trainings on laws and enforcement of laws related to child labor and hazardous child labor. (5) The Gambian Government ceased labor inspections in March 2020, citing challenges related to the COVID-19 pandemic; as a result, no labor inspections occurred in sectors in which most child labor reportedly occurs. (5) 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. (39,40) Per the law, inspectors are not authorized to inspect private homes or farms in which children may be working. (3,22)

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### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (19)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (19)	N/A (5)
Refresher Courses Provided	Yes (19)	Unknown (5)
Number of Investigations	0 (19)	Unknown (5)
Number of Violations Found	0 (19)	Unknown (5)
Number of Prosecutions Initiated	1 (19)	Unknown (5)
Number of Convictions	0 (19)	Unknown (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (19)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (19)	Yes (5)

Although Articles 39 and 40 of the Children’s Act prohibit human trafficking and slave dealing of children, and although these crimes carry a penalty of life imprisonment, research indicates that penalties are not fully applied, possibly hindering enforcement and emboldening violators. (28,33) The government adopted a national referral mechanism with standard operating procedures to screen vulnerable populations, including child migrants and individuals in commercial sex, for trafficking indicators and to refer them for care; however, the government’s ability to proactively identify and aid trafficking victims, including child victims, is limited and additional training on the new procedures is needed for it to be fully implemented. (6,19,20)

### 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 hinder the effective coordination of efforts to address child labor, including 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 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 2020.
National Trafficking in Persons Task Force	Coordinates, administers, and monitors the implementation of the Trafficking in Persons Action Plan and shares information among law enforcement agencies. (19,41) Includes NAATIP, Ministry of Justice, Department of Immigration, DSW, Ministry of Foreign Affairs, Women’s Bureau, Gambia Radio and Television Services, Center for Street Children, and The Gambia Police Force. (42) During the reporting period, the task force met regularly. (5,32)
Child Protection Alliance (CPA)	Promotes children’s rights and child protection services. Raises awareness about child exploitation. (19) Members include government departments, civil society organizations, UN agencies, NGOs, child and youth organizations, and bilateral institutions. (19) Trains journalists about child sex tourism and government officials on the UN Convention on the Rights of the Child. (34,35) Maintains 15 child protection centers across the country to monitor, identify, and report potential cases of child abuse and trafficking in persons. (19,22)

### 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.

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Child Protection Strategy (2016–2020)	Outlined strategies to improve child protection, including addressing the worst forms of child labor, by increasing awareness and strengthening coordination among government agencies. (43) Research was unable to determine whether any activities took place in relation to this policy during the reporting period.
National Trafficking in Persons Action Plan (2016–2020)	Directs governmental efforts to combat human trafficking. (4,22,28,44) In December 2020, NAATIP gathered stakeholders to review and update the document. (32)
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. (22) Research indicates the government continued to support this policy during the reporting period. (5)
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. (19,45) During the reporting period, at the beginning of the peak tourism season, new hotel staff were trained on the Code of Conduct of the Gambia Tourism Authority for the Protection of Children. (5)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (22)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 End Child Prostitution and Trafficking 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 indicated that the project was active during the reporting year, but research did not determine whether specific activities were undertaken relative to the project. (38)
Street Children Center†	Drop-in centers run by 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 children of Koranic schools exploited for forced begging. (19) Drop in centers were in operation during the reporting period. (46)
Conditional Cash Transfers to Islamic Religious Schools (Majaalis)†	Ministry of Education program in partnership with the Institute for Social Reformation, an Islamic NGO based in The Gambia, that gives Koranic teachers food rations and approximately \$2 monthly for each student if the Koranic teachers do not force students to beg. (18,22) Provides teachers for English, mathematics, and science subjects to Koranic schools. (1) Every month, a joint team of ministry officials and Institute for Social Reformation and Action representatives travel to each Koranic school participating in the program. (5) In 2020, support for the program continued at existing levels. 17 schools participated in the program throughout all regions and the program reached about 1,500 children during the reporting period. (5)

† 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. (47)

Child trafficking victims may choose to receive care from the government-run shelter, privately operated institutions, or in their own residence, and still receive government-provided resources regardless of chosen option. (32) 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. (22,48)

## 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 The Gambia (Table 11).



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT REGRESSION IN PRACTICE THAT DELAYED ADVANCEMENT

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimal age for workplace apprenticeships to age 14.	2017 – 2020
	Ensure that the age up to which education is compulsory is the same as the minimum age for work.	2020
Enforcement	Ensure that Neighborhood Watch Groups are empowered and properly trained to monitor and report cases of child labor.	2018 – 2020
	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 – 2020
	Ensure that the labor inspectorate has authority to conduct inspections on farms and in homes.	2017 – 2020
	Continue conducting labor inspections and ensure labor inspections occur where child labor is known to occur.	2020
	Ensure that the National Agency Against Trafficking in Persons' budget is sufficient for training officials.	2020
	Implement standard operating procedures to provide for proactive child sex trafficking victim identification and access to remedy, including providing additional training.	2019 – 2020
	Publish information on criminal law enforcement investigation, violations, prosecutions, and convictions.	2020
	Ensure that penalties for child trafficking are comprehensively applied to deter violations and government officials are trained in the application of those penalties.	2016 – 2020
Coordination	Ensure that the National Coordination Committee on Child Labor meets regularly and carries out activities to support its mandate.	2018 – 2020
Government Policies	Undertake activities in support of the National Child Protection Strategy.	2017 – 2020
Social Programs	Report activities in support of the Combating Child Sex Tourism Project.	2017 – 2020
	Expand existing programs to address the full scope of the child labor problem.	2010 – 2020
	Ensure that children can complete compulsory schooling by subsidizing or defraying the cost of books, uniforms, and other fees.	2010 – 2020
	Enhance opportunities for children to access education by providing adequate teaching facilities and clean water, and increasing the number of teachers in rural areas.	2017 – 2020

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In 2020, Georgia made moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted amendments to the Labor Code that expanded and clarified the roles and duties of the Labor Inspectorate. The government also implemented its new Code on the Rights of the Child beginning in June. In addition, the Healthcare Minister approved a decree that defines hazardous work and light work, as well as lists occupations prohibited for children under 18. In spite of challenges posed by the COVID-19 pandemic, the government made notable efforts to directly address child labor and trafficking in persons, while initiating a number of programs to provide increased support to vulnerable populations. However, children in Georgia are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Although the government made meaningful efforts in all relevant areas during the reporting period, the labor law governing the minimum age for work does not meet the international standard because it does not apply to informal work. In addition, the Criminal Code does not explicitly prohibit the use of children in illicit activities. Furthermore, the compulsory education age leaves children who are 15 years of age 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.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Georgia are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. (1-4) Table 1 provides key indicators on children's work and education in Georgia.

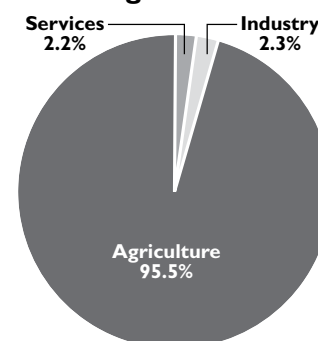
**Table 1. Statistics on Children's Work and Education**

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 (%)		92.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labor Survey (NCLS), 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	Farming, activities unknown (1,4,5)
Services	Street work, including begging and vending (1,4,6-8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (8-10)
	Forced begging, sometimes as a result of human trafficking (1,4,8-10)

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

# Georgia

## MODERATE ADVANCEMENT

Georgia is a source and transit country for child trafficking, especially of girls to Turkey and the United Arab Emirates for the purposes of commercial sexual exploitation. (6,10) Limited evidence indicates children may perform hazardous activities in construction. (11) Roma and Azerbaijani Kurd ethnic minorities and refugee and internally displaced children from Georgia, Armenia, and Moldova are subjected to forced begging and coerced into criminality in Georgia. (6-10,12) Estimates suggest that 1,000 to 2,000 children earn a living by begging, primarily caused by poverty or domestic violence. (4,6,7) During the reporting period, fewer children were reported to be engaged in begging as a result of economic contraction due to the COVID-19 pandemic, including a reduction in the tourism industry. (8) Many of the child beggars are from Roma communities. (6,8)




Lack of information limits an assessment of the types of work children perform and the sectors in which they work in the occupied regions of Abkhazia and South Ossetia, which are occupied by Russian forces and not under control of the central government. (1,4,10,13)

Children who do not attend school in Georgia are vulnerable to the worst forms of child labor. Socially vulnerable children, children from impoverished families, children with disabilities, and those who live in rural areas may have difficulty accessing education, in part due to a lack of identity documents. (1,12,14) Although the law provides a path for homeless and transient children to obtain identity documents, government outreach remains insufficient to address the issue. (12) During the reporting period, the government issued 12 temporary identification documents to minor foreign nationals (8 for homeless children and 4 for children victims of violence), 10 identity cards, 1 temporary residence card, and 5 biometric passports to homeless children and child victims of violence. (15) The identity cards ensure that such children are provided with additional state-funded services, including social, medical, and educational programs. (1) In addition, some children from Roma communities lack identity documents, and therefore have challenges accessing education. (12) However, UNICEF notes that some families continue to destroy identification and other documents in an effort to avoid interaction with state officials. (7,16)

## 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 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 10 of the Labor Code of Georgia (17)
Minimum Age for Hazardous Work	Yes	18	Article 10 of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety; Resolution 381 Approving the List of Dangerous, Heavy, Harmful, and Hazardous Works (17-19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 10(4) of the Labor Code of Georgia; Articles 2 and 5 of the Law on Occupational Safety; Resolution 381 Approving the List of Dangerous, Heavy, Harmful, and Hazardous Works (17-19)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution of Georgia; Articles 143/1, 143/2, and 143/3 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking; Article 55 of the Code on the Rights of the Child (20-23)
Prohibition of Child Trafficking	Yes		Articles 143, 143/1, 143/2, and 143/3, and 172 of the Criminal Code of Georgia; Law of Georgia on Combating Human Trafficking (21,22)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 143/1, 143/2, and 143/3, 253–255, 255/1, and 255/2 of the Criminal Code of Georgia; Article 56 of the Code on the Rights on the Child (22,23)
Prohibition of Using Children in Illicit Activities	No		Article 171 of the Criminal Code of Georgia (22)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 10 of the Law of Georgia on Military Duty and Military Service (24)
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 (24)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 410 of the Criminal Code of Georgia; Article 59 of the Code on the Rights of the Child (22,23)
Compulsory Education Age	Yes	15‡	Articles 2 and 9 of the Law of Georgia on General Education (25)
Free Public Education	Yes		Article 22 of the Law of Georgia on General Education (25)

‡ Age calculated based on available information (25)

The new Code on the Rights of the Child entered into force in June 2020, establishing the right of children to be protected from harmful activities and forbidding forms of exploitation, including child labor and commercial sexual exploitation. (1,23) In addition, in November, the Healthcare Minister approved a decree that defines hazardous work and lists activities and occupations prohibited for children under age 18 including industrial work such as mining and construction, and work involving exposure to extreme temperatures, hazardous chemicals, or potentially dangerous elements, such as electricity or munitions. (26) In July, Parliament adopted amendments to the Criminal Code that strengthen penalties for child pornography. (8,22)

The labor law governing the minimum age for work is not in compliance with international standards because it does not apply to informal work. (17,27) The compulsory education age leaves children who are 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. Article 4 of the Labor Code specifies conditions under which children ages 14 and 15 may perform light work, and Article 14 prescribes the hours, but the law does not specify the activities in which light work is permissible. (17,27) Article 4 of the Labor Code stipulates that children under age 14 are allowed to work only in sport, art, and culture, as well as some advertising activities. (17,27) Lastly, Georgia's laws do not criminally prohibit the use, procuring, and offering of children for the production or trafficking of drugs. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



## MODERATE ADVANCEMENT

**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. (1,12) Through the Department of Labor and Employment Policy, revises laws and policies to be in accordance with international standards. (28) Through the Social Services Agency, administers social benefits such as targeted social assistance, health care, and vouchers for day care, and employs social workers who oversee child protection. (4) Receives complaints through the Child Protection and Social Programs sub-department, and refers complaints of child labor violations to law enforcement agencies for investigation. (28) In 2020, enforced occupational safety and health laws, including those related to hazardous child labor, and enforced prohibitions on forced labor and human trafficking through the Department of Labor Inspection. (4) In January 2021, MoLHSA's Department of Labor Inspection became a separate Labor Inspection Service within MoLHSA. (8)
Ministry of Internal Affairs (MoIA)	Enforces criminal laws related to child labor and child trafficking. (1,4) Through District Police Units, collects information on minors in each jurisdiction and visits minors' families to inform them of their rights. (28) Through the Human Rights Department, ensures prompt responses to human trafficking crimes and suggests recommendations for investigations. (6) Operates a hotline that is available in Georgian, Russian, and English. (6)
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. (1,6) Identifies human traffickers and collates data on traffickers across various agencies through the Information-Analytical Department. (29) Investigates possible human trafficking schemes by deploying teams of law enforcement officials in Mobile Units to investigate companies offering suspicious work opportunities abroad. (10,30)
Prosecutor's Office of Georgia	An independent entity separate from the Ministry of Justice which prosecutes criminal cases involving child exploitation, forced labor, and trafficking in persons. (9,31) Includes the Prosecution Service of Georgia Working Group, which addresses labor trafficking issues under the framework of the Prosecution Service Strategy for 2017–2021. (8,12)

In 2020, Parliament adopted a new Law on Labor Inspection that defines the basic scope, jurisdiction, and power of inspections, as well as the rights and obligations of the Labor Inspection Service. It also ensures effective implementation of labor laws.

The mandate of the Labor Inspectorate applies to all labor rights determined by the Labor Code, Law on Public Service, including forced labor, labor exploitation and occupational safety and health (OSH) norms as determined by the Organic Law of Georgia on Occupational Safety. (1,32) However, research indicates the Labor Inspectorate does not have the staff, resources, and training to fully conduct labor oversight responsibilities. (8,10)

In December 2020, the Prosecutor's Office met virtually with a working group that includes the Ministry of Justice (MoJ), the Ministry of Internal Affairs (MoIA), the Labor Inspectorate, and the Agency for State Care to discuss the challenges of detecting labor exploitation and child labor cases during the pandemic. This working group has met regularly since its establishment in 2017 as part of a 5-year strategy to address the difficulties of detecting and prosecuting child labor and forced labor. (1)

The Russia-occupied regions of Abkhazia and South Ossetia are not under the control of Georgian central authorities, who are prevented from carrying out inspections and law enforcement there. (1,13)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Georgia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Health, and Social Affairs (MoLHSA) 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	2019	2020
Labor Inspectorate Funding	\$517,241 (4)	\$967,000 (1)
Number of Labor Inspectors	40 (4,32)	67 (1,33)
Inspectorate Authorized to Assess Penalties	Yes (17)	Yes (34)

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

Overview of Labor Law Enforcement	2019	2020
Initial Training for New Labor Inspectors	Yes (4)	Yes (1)
Training on New Laws Related to Child Labor	Yes (4)	Yes (1)
Refresher Courses Provided	Yes (4)	Yes (1)
Number of Labor Inspections Conducted	1,530 (4)	21,081 (1)
Number Conducted at Worksite	1,530 (4)	21,081 (1)
Number of Child Labor Violations Found	2 (4)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (4)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	2 (4)	0 (1)
Routine Inspections Conducted	Yes (4)	Yes (1)
Routine Inspections Targeted	Yes (4,32)	Yes (1)
Unannounced Inspections Permitted	Yes (17)	Yes (34)
Unannounced Inspections Conducted	Yes (4)	Yes (1)
Complaint Mechanism Exists	Yes (4)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (1)

In September, Parliament adopted a new law that defines the role and authority of labor inspectors and the rights and obligations of the Labor Inspection Service. The mandate of the Labor Inspectorate applies to all labor issues, including forced labor and labor exploitation, collective bargaining agreements, and OSH norms. (1) Although the number of inspections increased significantly from 2019, the majority of inspections were conducted based on pandemic-related regulations. (1) Out of the 21,081 inspections conducted, only 188 inspections were conducted on OSH issues, and 90 inspections were conducted on forced labor and labor exploitation, including child labor. Although inspections took place throughout the country and in a range of economic sectors, no inspections were conducted in agriculture. (1) In 2021, new amendments to the Labor Inspectorate's mandate will come into effect that will grant labor inspectors the authority to conduct inspections on private farms and homes. (1,17)

The government reported a twofold budget increase for the Labor Inspectorate in 2020. (1,32,33) Despite a notable increase from 2019, the number of labor inspectors is still likely insufficient for the size of Georgia's workforce, which includes around 1.9 million workers. (35) In January, the government adopted a decree to increase the number of labor inspectors to 100 in accord with the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, but this goal was not met during the reporting period. (1,32,33,36,37) In September, in close cooperation with the ILO, the Labor Inspectorate trained 57 newly recruited labor inspectors on identification of forced labor and labor exploitation cases. (8) The inspectors continue to cover labor issues related to both children and adults, including a specialized unit responsible for identifying child labor and trafficking violations. However, the government reported that only six inspectors were tasked with monitoring labor code violations, and the remainder were focused solely on OSH concerns. (1,33)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (4)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (1)
Refresher Courses Provided	Yes (4)	Yes (1)
Number of Investigations	6 (9)	4 (1)
Number of Violations Found	29 (4)	1 (1)

## MODERATE ADVANCEMENT

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

Overview of Criminal Law Enforcement	2019	2020
Number of Prosecutions Initiated	4 (9)	1 (1)
Number of Convictions	2 (4)	26 (1,15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (4)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (1)

Law enforcement agencies received training on addressing the most relevant forms of child labor, including forced child labor, child trafficking, and commercial exploitation and use of children in illicit activities. In November, the MoJ and the International Center for Migration Policy Development, with support from the EU, conducted training on human trafficking and interviewing potential victims, as well as methods of identifying child labor and child forced begging. (1) The government employs Witness and Victim Coordinators, who participate in court proceedings by advocating for the interests of witnesses and victims and work to avoid re-victimization. Between April and December 2020, Witness and Victim Coordinators assisted 12 minor victims of trafficking in persons. (8) The Prosecutor's Office of Georgia (POG) conducted six training activities for prosecutors and investigators, including training covering human trafficking, child exploitation, online sexual exploitation of children, and usage of crypto currency within the sphere of child pornography. (8) The POG also launched a new 3 month-long training course for prosecutors on combating trafficking in persons. (1)

Following a 2019 joint Georgian, U.S., Australian, and Europol investigation of a child trafficking ring, in 2020, Georgian authorities convicted 23 people on multiple charges, including child trafficking and producing or selling child pornography. Sentences for those convicted ranged from 3 to 20 years' imprisonment, as well as fines and property confiscation. (1,8) In addition, the MoA initiated investigations into four alleged cases of forced begging of minors, resulting in one prosecution of a case involving two children. (1,8) Three other individuals were convicted of labor exploitation of minors. (1)

Criminal investigators 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 outside of central government control. (1,6,38)

The MoA continued to support the operation of six mobile task force units dedicated to anti-trafficking activities. The task force units continued to proactively interview individuals in vulnerable occupations and demographics, including hospitality workers and children living and working on the streets, to identify possible cases of labor exploitation and to advise them of their legal rights and available government services. (15)

## 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-Agency Commission for the Implementation of the UN CRC	Supervises implementation of the Child Rights chapter of the National Human Rights Action Plan, which is based on provisions of the UN CRC. (1,4) Met several times during 2020 and drafted a concept paper on psychological-social service centers for children victims of violence. Based on the paper, two psycho-social service centers for child victims of sexual violence will be established in Tbilisi and Kutaisi under the Agency for State Care. (1)
Inter-Agency Human Rights Council	Oversees law and policy on gender equality, children's rights, anti-discrimination, and the rights of people with disabilities. Chaired by the Prime Minister and includes government ministers and members of civil society. (1)

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

Coordinating Body	Role & Description
Inter-Agency 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. (9) Drafts National Action Plans and other strategic government programs to address trafficking in persons and publishes biannual statistics on trafficking, including sexual and labor exploitation of minors. (1) 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. (6,9) In 2020, worked to create specialized thematic working groups, including a group to draft a Governmental Strategy for 2021–2025 on Protection of Homeless Children from Violence, including Trafficking in Persons. Drafted guidelines for mobile units of the Agency for State Care to identify and assist children working and living on the streets. (8)
Public Defender of Georgia	Monitors the observance of human rights and freedoms in Georgia. Advises the government on the nation's laws, policies, and practices on human rights issues. (39) Publishes an annual parliamentary report on human rights in Georgia with a chapter dedicated to children's rights. (1) In 2020, monitored and reported on adverse effects of the pandemic on vulnerable child populations. (1)
Human Rights and Civil Integration Committee	Standing committee in Parliament that prepares new legislation and proposes amendments to existing laws relating to children's rights, trafficking in persons, and other human rights issues. Monitors and evaluates the government's compliance with and respect for national laws and international agreements. (40)
Joint Child Referral Mechanism	Ensures inter-agency 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. (1,6,12) Through MoIA, registers cases of child exploitation identified by any government ministry. Through MoLHSA, assesses the child's condition, provides shelter and rehabilitation services to the child as needed, and monitors the child's case. (1)

In 2020, the Interagency Human Rights Council met for the first time in several years to discuss the protection of human rights during the pandemic. (1,41) The Human Rights and Civil Integration Committee, with financial support from UNICEF, established a “Child Hotline” through the State Care Agency that provides free assistance to children by connecting them to the relevant governmental and non-governmental agencies. The hotline can provide both over-the-phone and in-person psychological support and counseling services for children and parents. (1)

The government developed a new coordination system between state agencies and municipalities in accord with the Code on the Rights of the Child. The Permanent Parliamentary Council on Protection of the Rights of the Child coordinated the establishment of Child Care and Protection units in 64 municipalities, and the government provided retraining to up to 200 social workers and 64 Code coordinators, as well as judges, lawyers, legal aid officers, and public servants. (1,8,15)

The Inter-Agency Anti-Trafficking Coordination Council for the Implementation of Measures Against Human Trafficking (A-TIP Council) began drafting the Governmental Strategy for 2021–2025 on Protection of Homeless Children from Violence, including Trafficking in Persons. (1) In December, the A-TIP Council's Secretariat issued a 2021–2022 State Action Plan, which addresses new challenges caused by the pandemic and provides for increased activities to detect online human trafficking recruitment. During the year, the Secretariat organized joint thematic meetings of different agencies to discuss human trafficking challenges. (1,8) The Central Criminal Police Department and MoLHSA's Labor Inspectorate began drafting an update to their Memorandum of Mutual Cooperation. However, a lack of transparency and clarity among the various coordinating bodies still hinders cooperation between them, the Labor Inspectorate, and law enforcement. (1,10,16)

## 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 the scope of existing policies.

## MODERATE ADVANCEMENT

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Human Rights Action Plan (2018–2020)	Included a chapter on children's rights to lay out actions for government's commitment toward developing a broad-based approach to fighting violence against children. (12,42)
National Action Plan on Trafficking in Persons (2019–2020)	Supported the development of policy and the implementation of activities to address human trafficking. Committed the government to protect and effectively integrate street children, through measures such as issuing identity documents and increasing school enrollment. (1,9,12,43,44) In addition, the government approved a National Action Plan for 2021–2022. (1)
Code on the Rights of the Child	Commits the government to establish or implement a range of measures aiming to protect children from violence and hazardous child labor. (1,4,23) More than 200 judges and 600 lawyers received training on Georgia's Code on the Rights of the Child, which went into effect in June 2020. (1)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (12,45)

Although the government has established policies to address child begging, child trafficking, child labor in street work, and hazardous child labor, it does not have a policy to address child labor in agriculture.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Agency for State Care and for the (Statutory) Victims of Human Trafficking†	MoLHSA legal public entity under law that provides care and services for victims of trafficking and domestic and sexual violence, as well as for elderly, disabled, and orphan populations. (1) Implements the government's Rehabilitation and Reintegration Strategy, which includes operating shelters for victims of human trafficking in Batumi and Tbilisi. (12) Operates a hotline for potential victims of human trafficking with assistance available in eight languages. (8) In 2020, received a budget of \$13.21 million. (1)
Ministry of Education, Science, Culture, and Sport‡	Oversees national primary education curriculum and vocational training programs. (1) Funds programs that promote the inclusion of vulnerable children in education. (1,12) 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. (12,46) Leads anti-trafficking activities in elementary schools, high schools, and institutions of higher education. (8) In 2020, the government continued to fund inclusive education and allocated money to develop or renovate the infrastructure of education facilities. (1)
Targeted Social Assistance Program and Child Benefit Program†	Social Services Agency-administered social assistance programs designed to eliminate poverty, especially child poverty. In 2020, provided a variety of services, including shelters for homeless children, support for impoverished families, and daycare for vulnerable children. (1)
Social Rehabilitation and Childcare Program†	Provides assistance to children at high risk of abandonment and children with disabilities; places abandoned children in appropriate care. In 2020, received a budget of \$11.26 million (GEL 37.4 million), compared to \$12.37 million (GEL 35.9 million) in 2019. (1,4)
Strengthening Labor Law Enforcement	\$8.75 million USDOL-funded grant to enhance the Government of Georgia's capacity to create, implement, and monitor the application of labor laws by working with ministries of labor, labor judges, and other judicial labor authorities. Uses data collected from labor inspections to identify gaps that facilitate violations and to support legal reforms to address them. (47) Additional information is available on the USDOL <a href="#">website</a> . (48)

† 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. (1,6,12,49)

During the reporting period, the government conducted regular awareness-raising campaigns related to trafficking in persons. (1) The MoJ, in cooperation with IOM, conducted an awareness campaign in October focusing on forced begging with the message “Danger might be invisible at first.” The campaign's video clips were published through social networks and television broadcast, and banners were placed in Public Service Halls of most major cities, as well as at bus stops in Batumi and Tbilisi. (1,50) Although Georgia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially regarding street children. (1,51) The Agency for State Care continued to operate crisis centers and



shelters with additional precautions in place to prevent the spread of the pandemic, remained active in removing begging children from the streets, and provided services to 275 children in 2020. (I,8) Two child victims of forced begging were identified and referred to the Crisis Service Center in Tbilisi, where they received medical, social, psychological, and other relevant services. (I)

Due to the pandemic causing schools to move to distance learning, the Ministry of Education, Science, Culture, and Sport (MoES) created platforms for distance learning and launched the “TV School” educational project to broadcast the national curriculum’s standard lessons in Georgian, minority languages, and sign language. (I) The MoES also worked to make learning content available to children in penitentiary institutions and reviewed all vocational education programs to identify the components that could be delivered remotely. Vocational programs enrolled 9,500 students during the reporting period. (I,52) However, the Public Defender of Georgia noted that educational access remains inadequate for vulnerable children, including students with disabilities, street children, and children in state care. (I,53)

## 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 I I).

**Table I I. 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 – 2020
	Increase the age up to which education is compulsory to age 16, the minimum age for work.	2009 – 2020
	Ensure that the law’s light work provisions are sufficiently specific to prevent children from involvement in child labor.	2016 – 2020
	Ensure that the law criminally prohibits the use, procuring, and offering of children for the production and trafficking of drugs.	2019 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Ensure that inspections are conducted in all economic sectors in which child labor violations may be present, including agriculture.	2019 – 2020
	Ensure that the Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs has funding to employ a sufficient number of inspectors and that inspectors are capable of performing quality targeted, complaint-based, and unannounced inspections in all sectors and businesses on all labor laws.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO’s technical advice to monitor and combat child labor.	2018 – 2020
Coordination	Continue to increase coordination between the Department of Labor Inspection within the Ministry of Labor, Health, and Social Affairs and the Criminal Police Department.	2018 – 2020
Government Policies	Adopt a policy that addresses all relevant forms of child labor, including child labor in agriculture.	2017 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor, including in agriculture, to inform policies and programs.	2018 – 2020
	Make additional efforts to register children from Roma communities, provide them with identity documents, and ensure that these groups can access education.	2018 – 2020
	Ensure that socially vulnerable children, children from impoverished families, and children who live in rural areas have access to education.	2019 – 2020
	Expand existing programs to address the scope of the child labor problem, especially for street children.	2018 – 2020

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In 2020, Ghana made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Employment and Labor Relation's Child Labor Unit developed an Inter-Sectoral Standard Operating Procedure for child protection and family welfare, which provides a framework of agreed standards and procedures for stakeholders. In addition, the government opened a new shelter for child trafficking victims, significantly increased investigations and convictions of child labor crimes, and launched a training of trainers course for labor inspectors. However, children in Ghana are subjected to the worst forms of child labor, including in fishing and cocoa production and harvesting, each sometimes as a result of human trafficking. Prohibitions related to the commercial sexual exploitation of children do not meet international standards as the use of children in pornographic performances is not criminally prohibited, and the law also does not prohibit the use of children for illicit activities, including for the production and trafficking of drugs. In addition, the government has not acceded to the United Nations Convention on the Rights of the Child's Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and resource constraints severely limited the government's ability to adequately enforce labor laws and implement social programs during the reporting period.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ghana are subjected to the worst forms of child labor, including in fishing and cocoa production and harvesting, each sometimes as a result of human trafficking. (1,2) During the reporting period, NORC at the University of Chicago released a report detailing findings from a sectorally representative survey conducted in Côte d'Ivoire and Ghana during the cocoa harvesting season of 2018–2019. This report found an increase in child labor (and hazardous child labor) in cocoa production during the 10-year timeframe since the survey in 2008–2009. (3) Table 1 provides key indicators on children's work and education in Ghana.

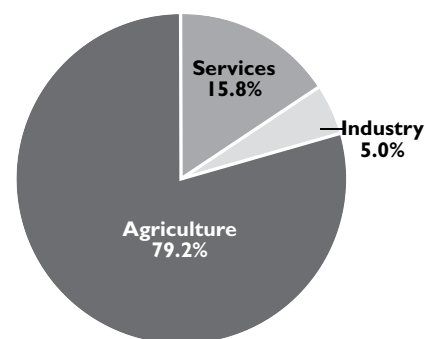
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	13.0 (927,591)
Attending School (%)	5 to 14	89.9
Combining Work and School (%)	7 to 14	13.2
Primary Completion Rate (%)		93.8

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Living Standard Survey (GLSS), 2016–2017. (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	Producing cocoa, including land clearing, using machetes and cutlasses for weeding, collecting cocoa pods with a harvesting hook, breaking cocoa pods, exposure to pesticides,† and carrying heavy loads† of water (1-3,6-12)
	Production of palm oil and cotton, including weeding, and harvesting (8,13)
	Herding livestock, including cattle, hunting, and work in slaughterhouses (14,15)

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

Sector/Industry	Activity
Agriculture	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 (1,2,7,9,13,16,17)
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† (8,9,18)
	Manufacturing† (8,11)
	Construction and bricklaying or carrying heavy loads (1,8,11)
Services	Domestic work (2,6,10)
	Transporting heavy loads as <i>kayayei</i> † (19,20)
	Work in transportation† (11)
	Street work,† including begging,† small-scale vending, and working at restaurants or bars† (8,18)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,10,15,21-24)
	Forced labor in begging; agriculture, including cocoa; herding; fishing, including for tilapia; artisanal gold mining; domestic work; and street work, including vending and carrying heavy loads; sometimes as a result of human trafficking (1,15,16,23-28)
	Forced ritual servitude for girls known as <i>trokosi</i> , including in domestic work for priests (9,21,22,27,29,30)

† 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.

A majority of children subject to human trafficking in Ghana are exploited for labor in cocoa production, 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. (3,15,16,21,26-28) Children also use sharp tools and are exposed to agro-chemicals while working in the cocoa sector. (8,12) In addition, girls as young as age 13 from rural northern regions of Ghana travel to urban centers to work as *kayayei*, or female porters, carrying heavy loads on their heads in markets, and are particularly vulnerable to sexual abuse and exploitation. (19,20)




According to the Constitution and the Education Act, primary education in Ghana is free and compulsory from kindergarten through junior high school. (31,32) However, impoverished families often struggle to pay administrative fees and to purchase school supplies and uniforms, although research found that students are not prevented from enrolling due to a lack of uniform or birth certificate. (33,34) The dual-track system, introduced in 2018, allows secondary school students, typically between the ages of 13 and 17, to attend school in alternating semesters and take advantage of opportunities such as vocational training when they are not in school. (19,35) However, reports suggest that such opportunities are often not readily available or affordable. As a result, these children are vulnerable to exploitation in child labor during the times when they are not in school. (1,6,9,22,23,36) Although the government has significantly increased the overall number of children attending school, the system involves children rotating being in class a few months at a time, resulting in idle time for many students, which has had the unintended consequence of an increase in vulnerability to child trafficking or forced labor. (24) In addition, factors such as a shortage of classrooms, long distances to schools, absence of sanitation facilities, overcrowding in urban areas, sexual harassment of girls in schools, physical violence and verbal abuse in schools, and poor educational infrastructure, particularly in rural areas, severely limit access to education for many children. (1,6,9,22,36,37) 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. (35,36) In addition, the government operates 14 national schools for visually and hearing impaired students. (34,36)

## 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	✓
 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	Sections 89 and 92 of the Children's Act (38)
Minimum Age for Hazardous Work	Yes	18	Sections 91 and 92 of the Children's Act (38)
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 (31,38-41)
Prohibition of Forced Labor	Yes		Articles 16.1 and 16.2 of the Constitution; Articles 116–117 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 (31,39,42,43)
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 (40,42,43)
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 (40,44)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Ghana Armed Forces General Eligibility (Recruits) (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Ghana Armed Forces General Eligibility (Recruits) (45)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Article 2.2 of the Education Act (32)
Free Public Education	Yes		Article 25.1.a of the Constitution; Articles 1.1, 1.2, and 2.2 of the Education Act (31,32)

\* No conscription (46)

‡ Age calculated based on available information (46)

Ghana's laws do not cover the procuring or offering of children in the production of pornography or the use, procuring, or offering of children for pornographic performance. Although Ghana has prohibited some hazardous work for children, the current hazardous work list does not cover all occupations or activities in which child labor is known to occur, including in cocoa production. (1,40,47,48)

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### 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 enforcement agencies 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. (19) Conducts national dialogue on Child Labor-Free Zones and a workshop on Child Labor-Free Zones to discuss child labor in the cocoa industry. (1) During the last quarter of 2019, MELR and the chocolate industry, supported by UNICEF and ILO, developed a public-private partnership to end child involvement in the cocoa supply chain. (2) UNICEF supported the drafting of the gap analysis and the framework for action for this partnership. The proposed interventions in the partnership cover social protection, education, health, and child protection sectors. (2) Further, during the reporting period, the Ministry of Employment and Labor Relations established guidelines for Child Labor-Free Zones and began pre-testing the Ghana Child Labor Monitoring System. (49)
Ministry of Local Government and Rural Development's District Assemblies	Through labor inspectors, investigate child labor violations, educate employers on compliance with child labor laws, and conduct inspections. (1,47) Through social services subcommittees, enforce child labor provisions in the informal sector. (1,38)
Ministry of the Interior	Through its Ghana Police Service, investigates, arrests, and prosecutes cases related to the worst forms of child labor and operates a 24/7 hotline for reporting crimes. (1) Within the Ghana Police Service, the Domestic Violence and Victim Support Unit and Anti-Human Trafficking Unit investigate cases and provide support to victims. (1,25) Through its Ghana Immigration Service, combats human trafficking through Anti-Human Smuggling and Trafficking Units. (1,50,51)
Ministry of Justice's Office of the Attorney General	Combats child labor by prosecuting child labor and child trafficking crimes. (1) Within the Economic and Organized Crime Office, the Human Trafficking Unit shares responsibility with the Ministry of the Interior's Anti-Human Trafficking Unit for combating human trafficking, confiscating proceeds from human trafficking, and providing ongoing training for law enforcement on prevention measures. (52,53)
Ministry of Gender, Children, and Social Protection (MOGCSP)	Combats child labor and leads government efforts to combat human trafficking. (1) Through its Department of Social Welfare, operates shelters for vulnerable and abused children, administers juvenile justice, and implements programs to combat child labor. (9) Through its Human Trafficking Secretariat, oversees the creation, implementation, and review of human trafficking policies and ensures proper monitoring, evaluation, and data collection. (1) During the reporting period, with UNICEF, developed an Inter-Sectoral Standard Operating Procedure for child protection and family welfare. (2)

Although the Office of the Attorney General is responsible for prosecuting child trafficking violations, there was an insufficient number of state attorneys designated to prosecute human trafficking crimes. The majority of cases were handled by the Ghana Police Service prosecutors, whose lack of formal legal training impedes their ability to prosecute complex criminal cases. (33,34,54) Research indicates that slow communication and challenges in evidence collection between the Ghana Police Service and the Attorney General's office may have further hampered efforts to prosecute cases of child trafficking. (1)

The Inter-Sectoral Standard Operating Procedure for child protection and family welfare provides a harmonized framework of agreed standards, principles, and procedures for all child protection and family welfare stakeholders to understand each other's roles and responsibilities. It identifies specific procedures for the use of forms, tools, and guides by social services and other key stakeholders, and it holds stakeholders accountable to each other. (2)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Ghana took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Employment and Labor Relations 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	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	57 (1)	62 (55)
Inspectorate Authorized to Assess Penalties	No (39)	No (39,55)
Initial Training for New Labor Inspectors	No (1)	Yes (55)
Training on New Laws Related to Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (2)
Number of Labor Inspections Conducted	328 (34)	213 (55)
Number Conducted at Worksite	160† (1)	Unknown (2,55)
Number of Child Labor Violations Found	32 (34)	8 (2,55)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	No (2,55)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	No (2,55)
Routine Inspections Conducted	Yes (1)	Yes (55)
Routine Inspections Targeted	Yes (1)	Unknown (2)
Unannounced Inspections Permitted	Yes (1,39)	Yes (39,55)
Unannounced Inspections Conducted	Yes (1)	Yes (55)
Complaint Mechanism Exists	Yes (1)	Yes (55)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (2,55)

† Data are from January 1, 2018 to November 30, 2019.

The number of labor inspectors is likely insufficient for the size of Ghana's workforce, which includes approximately 12,490,000 workers in both the formal and informal sectors. (1,34,56) 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. (56,57) Research found that 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. (1,2,47) In addition, a formal referral mechanism continued to be hindered by the lack of funding, shelter space, and transportation for victims. (1,2)

### **Criminal Law Enforcement**

In 2020, 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.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Unknown (2,55)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (2)
Number of Investigations	36 (34)	119 (2)
Number of Violations Found	152 (34)	Unknown (2,55)
Number of Prosecutions Initiated	4 (1)	Unknown (2,55)
Number of Convictions	4 (1)	8 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (2)

Research indicates that poor inter-agency coordination and insufficient resources for transportation and victim support resulted in underreporting of cases and hampered criminal enforcement efforts. (9,21,25,27,54) In addition, 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. (1,51)

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Lastly, criminal enforcement agencies lack the resources to properly monitor sectors in which the worst forms of child labor are known to occur. For example, on Lake Volta, the police do not have boats to patrol for forced child labor in fishing. (23)

The Ministry of Employment and Labor Relations, the Ministry of Gender, Children, and Social Protection, the Ministry of Justice, and the Ministry of the Interior are committed to using the Trafficking in Persons Information System, developed by the IOM. (1) Research was unable to determine whether the Trafficking in Persons Information System was used during the reporting period.

## 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 an absence of reporting on efforts to address child labor.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor	Coordinates government efforts to combat the worst forms of child labor, and oversees implementation of the National Plan of Action Phase II on the Elimination of the Worst Forms of Child Labor, which includes implementation of the Ghana Child Labor Monitoring System. (1,58,59) Led by MELR's Child Labor Unit, includes representatives from other ministries, employers' and workers' organizations, and civil society. (1,58,60,61) In June 2020, conducted a sensitization and awareness-raising campaign. (2) In addition, in March 2020, and in partnership with Japanese International Cooperation Agency, the government launched the Protocols and Guidelines for Establishing Child Labor-Free Zones. (62)
Inter-Ministerial Committee to Combat Human Trafficking	Aims to prevent Ghanaian migrants from becoming victims of human trafficking. Comprises MELR, MOGCSF, the Ministry of Justice, and the Ministry of the Interior. (1,34) Research was unable to determine whether this coordinating body was active during the reporting period.
Ministry of Employment and Labor Relations Child Labor Unit	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. (58,63) Provides technical support to ministries, departments and agencies, employers' and workers' organizations, and international agencies such as ILO, IOM, and UNICEF, and is responsible for conducting labor inspections in all sectors except the security and intelligence agencies. (1) During the reporting period, conducted field visits in the Oti, Volta, Central, and Eastern regions. (2)
Human Trafficking Management Board	Advises the MOGCSF on anti-trafficking policy, promotes prevention efforts, facilitates the protection and reintegration of child trafficking victims, and administers the Human Trafficking Fund. Continued to meet quarterly to carry out these activities during the reporting period. (34)

## 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 of Action Phase II on the Elimination of the Worst Forms of Child Labor (2017–2020)	Aimed to address gaps identified in the first National Plan of Action (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. (8,33,59,60) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan of Action for the Elimination of Human Trafficking in Ghana (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 Program. (64) The government made a shelter for child victims of human trafficking that became fully operational in August 2020. (2,24)
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, to identify hazardous activities that should be prohibited for children. (41,48,65) Research was unable to determine whether activities were undertaken to implement these policies during the reporting period.

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

Policy	Description
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. (66-68) Provides resources and coordinates with key stakeholders on efforts to reduce the worst forms of child labor in cocoa-producing areas. (66,67) Ensures that all project efforts implemented under the Declaration and Framework align with Ghana's national action plans to promote coherence and sustainability. (66-68) USDOL-funded projects and some industry-funded projects carried out activities in support of this policy during the reporting period. (34) The annual Child Labor Cocoa Coordinating Group meeting scheduled for November 2020 was postponed. (2)
Minerals and Mining Policy of Ghana	Prohibits child labor in mining and stipulates that children who visit mining sites must be supervised. (69) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Strategy on Anti-Child Labor and Trafficking in Fisheries (2016–2020)	Ministry of Fisheries and Aquaculture Development policy that aimed to significantly reduce the incidence of child labor in fisheries by improving child protection systems and increasing prosecution of offenders. (70) With USAID support, 10 coastal District Assemblies in the Central Region received \$934,674 to mainstream activities to combat child labor and child trafficking activities in their 2018–2021 Medium-Term Development Plans. (34) Research was unable to determine whether activities were 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. (25,71,72)

Although the government made strides in the implementation of its National Plan of Action for the Elimination of Human Trafficking in Ghana, research indicates that the government relied heavily on NGOs to implement the mandates of this policy. Other areas that required further government attention included provisioning of shelters in more regions and districts, and providing adequate funding and logistics for rescue operations and victim protection. (23)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Industry-Funded Projects	Projects that 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. (68) In 2020, the industry announced that it will invest \$30 million by 2025 in Child Learning and Education Facility, a new education fund in Côte d'Ivoire that is expected to reach 5 million children. (73) In addition, companies have joined together for a larger-scale CocoaAction program with an estimated \$400 million investment by the Industry between 2015 and 2020. (74)
U.S. Government-Funded Projects	Projects that aim to improve child protection measures in partnership with the host government. These projects include: the Child Protection Compact Partnership (2015–2020), a \$5 million USDOS-funded project implemented by IOM and local NGO Free the Slaves; Accelerating Care Reform (2016–2020), an \$8 million USAID-funded project implemented by the Department of Social Welfare and UNICEF to strengthen the social welfare system; Sustainable Fisheries Management Project (2014–2020), a \$24 million USAID-funded project implemented by University of Rhode Island's Coastal Resource Center; the Complementary Basic Education Program, a \$40 million joint contribution between USAID and the United Kingdom's Department for International Development to support Ghana's Ministry of Education's efforts to educate and re-integrate out-of-school children into the basic school system; and the Learning Support program, a \$37 million USAID-UNICEF-funded program that helps increase inclusive education services for special needs children in primary schools. (19,75,76)



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

Program	Description
Educational Programs†	Ministry of Education-funded programs under the Free Compulsory Universal Basic Education aim to increase school attendance and enrollment. (72,77) MOGCSF's Ghana School Feeding Program aims to reduce malnutrition and improve attendance among students, its Capitation Grant Scheme helps defray the cost of basic education for students in public primary schools, and its Ghana Education Service—Girls' Education Unit places girls' education officers at the regional and district levels and mobilizes communities to enroll more girls in school. (78-80) Further, the Ghana Cocoa Board's Child Education Support Program rehabilitates and builds schools in cocoa-growing areas. (77,81)
MOGCSF Programs†	Programs that aim to support vulnerable children. Includes: the Program to Assist <i>Kayayei</i> , which provides rehabilitation and reintegration support; the temporary program "Get Off the Street," which aims to remove children from the street and reintegrate them into family and educational settings; the Human Trafficking Fund, which aims to provide financial support to victims; and the conditional cash transfer program, which aims to provide monetary support to poor households with orphans and vulnerable children on the condition that these children attend school. (51,78,82) Research was unable to determine whether activities were undertaken to implement these social programs during the reporting period.
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor. These projects include: <u>MATE MASIE (2020-2024)</u> ,* a \$4 million project being implemented by Winrock; <u>Adwuma Pa (2018-2022)</u> , a \$5 million project implemented by CARE; <u>Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana and Côte d'Ivoire (2017-2021)</u> , a \$2 million project implemented by Verité; and <u>Assessing Progress in Reducing Child Labor in Cocoa-Growing Areas of Côte d'Ivoire and Ghana (2015-2021)</u> , a \$3 million project implemented by NORC at the University of Chicago. (12) Additional information is available on the USDOL <a href="#">website</a> .

\* Program was launched during the reporting period.

† 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. (54,79,83,84)

Research indicates a lack of funding as one of the primary obstacles in implementing programs to address child labor. (1,51) In addition, government-run shelters for victims of the worst forms of child labor are few, and the government relies significantly on NGO-run shelters to which they can refer rescued children. (1,27,34)

In partnership with USDOL through its Combating Forced Labor and Labor Trafficking of Adults and Children in Ghana and Côte d'Ivoire program, the government provided a 6-week online training of trainers starting November 2020 for 10 Ghanaian labor inspectors from the Ministry of Employment and Labor Relations on how to identify, address, and prevent forced labor using the ILO's forced labor indicators approach. The development of this program was in response to a 2019 needs assessment. (85)

Although the government has worked closely with industry, NGOs, and international organizations to implement child labor programs in cocoa, fishing, and mining, the breadth of these programs remains insufficient to address the scope of the problem. (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 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 – 2020
	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 – 2020
	Ensure that laws criminally prohibit the use of children in all illicit activities, including for the production and trafficking of drugs.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2015 – 2020

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Update the hazardous work list for children to cover all hazardous types of work outlined in ILO C. 182.	2020
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 an adequate number of state attorneys are available to prosecute cases, that government officials do not intervene in criminal investigations, and that these cases are prosecuted according to the law.	2015 – 2020
	Publish information on the amount of funding allocated to the labor inspectorate, number of labor inspections conducted at worksites, number of child labor inspections found, imposed, and collected, and number of routine inspections targeted.	2009 – 2020
	Ensure that the inspectorates have adequate resources, including office space, transportation, and supplies, to adequately carry out their mandate throughout the country.	2009-2020
	Strengthen the labor inspectorate by authorizing inspectors to assess penalties for labor violations.	2014 – 2020
	Ensure that labor inspectors receive adequate training, including initial training for new inspectors.	2014 – 2020
	Publish data on number of child labor violations found and penalties initiated.	2019 - 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2020
	Strengthen and fully fund the mechanism to track cases of child labor for referral between law enforcement and social services providers.	2019 - 2020
	Improve communication and coordination among criminal enforcement agencies to prosecute cases of the worst forms of child labor and provide adequate victim support.	2015 – 2020
	Ensure that the Trafficking in Persons Information System is used and publish any related activities.	2020
Coordination	Ensure that all coordinating bodies are active and report their activities.	2013 – 2020
Government Policies	Ensure that government policies are active, adequately funded, and publish information on their activities.	2013 – 2020
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 and physical violence in schools.	2010 – 2020
	Ensure that opportunities such as vocational training are available to secondary school students enrolled in the dual-track system.	2019 - 2020
	Ensure that social programs are active and receive sufficient funding to carry out their objectives.	2014 – 2020
	Expand the availability of government-supported shelter services for child victims and ensure that all shelters are operational.	2016 – 2020
	Create, replicate, and expand effective models for addressing exploitative child labor in the cocoa, fishing, and mining sectors.	2009 – 2020

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In 2020, 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 official study of child labor has been done to confirm this. The government's ability to prevent children from being subjected to 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, the government did not authorize the labor inspectorate to assess penalties.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Grenada. (1)

**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 (%)		123.0

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (2)







According to the Education Act, public education is free and all children are required to attend school until age 16. (3)

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 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 has established laws and regulations related to child labor (Table 3). 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 3. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Article 32 of the Employment Act (4)
Minimum Age for Hazardous Work	No		



## 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		
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 (4-6)
Prohibition of Child Trafficking	No		Articles 9–11 of the Prevention of Trafficking in Persons Act (6)
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 (6-8)
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 (3)
Free Public Education	Yes		Articles 15 and 16 of the Education Act (3)

† No standing military (9)

Grenada's Employment and Education Act allows holiday employment for children under age 16 under the supervision of their parents. (10) This does not meet international standards because it does not specify the minimum age, types of work, or number of hours permitted for such work. (4, 11) 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. (6) The Criminal Code, Electronic Crimes Bill, and Prevention of Trafficking in Persons Act do not comprehensively prohibit the commercial sexual exploitation of all children. (6,8) The government also has not established laws that prohibit the use of children in illicit activities.

### 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).

**Table 4. 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 workplaces 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. (12-14)
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. (13, 14) Enforces laws related to school attendance and provides programs to support school attendance. (14)
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. (1)
Public Prosecutor's Office	Represents the State of Grenada and is charged with the responsibility of prosecuting criminal cases in lower and high courts. Authorized to institute, overtake, or discontinue criminal prosecutions. (15) Functions independently with overarching oversight over all public prosecutions. (15)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Grenada took actions to combat child labor (Table 5). However, gaps exist within the authority of the Ministry of Labor 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	2019	2020
Labor Inspectorate Funding	Unknown (16)	Unknown (1)
Number of Labor Inspectors	6 (16)	6 (1)
Inspectorate Authorized to Assess Penalties	Yes (4)	Yes (4)
Initial Training for New Labor Inspectors	N/A (16)	N/A (1)
Training on New Laws Related to Child Labor	N/A (16)	N/A (1)
Refresher Courses Provided	Unknown (16)	Unknown (1)
Number of Labor Inspections Conducted	Unknown (16)	76 (10)
Number Conducted at Worksite	Unknown (16)	76(10)
Number of Child Labor Violations Found	Unknown (16)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (16)	N/A (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (16)	N/A (1)
Routine Inspections Conducted	Yes (16)	Unknown (1)
Routine Inspections Targeted	Unknown (16)	Unknown (1)
Unannounced Inspections Permitted	Yes (4)	Yes (4)
Unannounced Inspections Conducted	Yes (16)	Yes (1)
Complaint Mechanism Exists	Yes (10)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (1)

The government employs six inspectors, two of whom have responsibility for inspections on child labor as part of their portfolios. If inspectors find a violation, they must inform the Royal Grenadian Police Force (RGPF), which then conducts a criminal investigation. (1,17) The Labor Commission determines which inspections to conduct by generating a list of workplaces to inspect; labor officers then make unannounced visits to all workplaces on the list. Labor inspectors conducted 76 inspections in Grenada since the onset of the COVID-19 pandemic to ensure compliance with pandemic-related protocols and other safety standards. (10) Inspectors noted no child labor violations during the inspections. (10) Research indicates that labor inspection and enforcement have limited resources. (1,17) In addition, the government did not provide complete data on its labor law enforcement efforts. (1,16)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Grenada took actions to combat child labor.

**Table 6. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (16)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (16)	Unknown (1)
Refresher Courses Provided	Unknown (16)	Unknown (1)
Number of Investigations	Unknown (16)	Unknown (1)
Number of Violations Found	Unknown (16)	Unknown (1)
Number of Prosecutions Initiated	Unknown (16)	Unknown (1)
Number of Convictions	Unknown (16)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (16)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (1)

# Grenada

## NO ADVANCEMENT

If the RGPF finds sufficient evidence of a criminal violation, the RGPF may submit findings for possible prosecution by the Public Prosecutor's Office. (I, I7)

The government does not publicly release information on its criminal law enforcement efforts related to child labor. (I)

## 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. (I, I6, I7)

## 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 7).

**Table 7. 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 – 2020
	Prohibit the use of children in illicit activities, including drug production.	2011 – 2020
	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 – 2020
	Ensure that the law establishes sanctions for all perpetrators of child trafficking, including in cases that do not show force, threats, or coercion.	2015 – 2020
	Enact legislation prohibiting the use, procuring, or offering of a child for all forms of commercial sexual exploitation.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Provide sufficient funding and resources to allow agencies responsible for the enforcement of labor laws to fulfill their mission.	2015 – 2020
	Publish labor and criminal law enforcement data, including the following: information on the 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 – 2020
	Ensure that labor inspectors and criminal investigators receive training related to the worst forms of child labor.	2015 – 2020
	Publish data on labor inspectorate funding.	2018 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor, including the worst forms of child labor, to inform policies and programs.	2009 – 2020

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- 17 U.S. Embassy- Bridgetown. Reporting. January 15, 2019.

In 2020, Guatemala made moderate advancement in efforts to eliminate the worst forms of child labor. The government created the Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor, a new coordinating body aimed at identifying and providing support to victims of human trafficking. It also publicized a WhatsApp number and e-mail address for reporting concerns related to human trafficking, labor exploitation, and the worst forms of child labor. In addition, the government prosecuted 36 cases of alleged child labor crimes and obtained 12 convictions. Guatemala also completed the implementation of the first phase of the Child Labor Risk Identification Model, which is designed to identify child labor vulnerabilities and develop strategies in response. As a result, analysis on risk and protection factors associated with the probability of child labor were developed for the 340 municipalities of the country. However, children in Guatemala are subjected to 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, including in the production of coffee. The insufficient number of labor inspectors and resources limited the Ministry of Labor and Social Welfare's 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 subjected to 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, including in the production of coffee. (1-6) Table 1 provides key indicators on children's work and education in Guatemala.

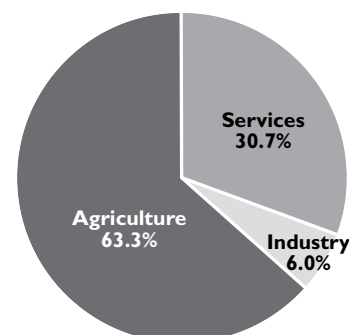
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	7 to 14	6.5 (203,265)
Attending School (%)	7 to 14	90.2
Combining Work and School (%)	7 to 14	3.3
Primary Completion Rate (%)		79.1

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Nacional de Empleo e Ingreso I (ENEI I), 2019. (8)

**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 (9)
	Planting and harvesting coffee, sugarcane, corn, broccoli, bananas, plantains, and flowers (1,5,9-12)
	Harvesting palm kernels and producing palm oil (9,10,13)



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

Sector/Industry	Activity
Agriculture	Ranching (1)
Industry	Mining,† including silver mining† (2,14)
	Construction, including as bricklayers and mason helpers (1,15,16)
	Production of garments, activities unknown (2,14)
	Manufacturing gravel (crushed stones)† and fireworks† (1,5,11,14,15,17,18)
Services	Domestic work and house-sitting† (10,11,19,20)
	Street work,† including vending,† performing,† cleaning windshields and windows,† begging, and shoe shining† (2,10,14,15,21,22)
	Making corn tortillas (5,11,16,23-25)
	Working as store clerks in small family-owned corner stores ( <i>abarroterías</i> ) (10-12,25)
	Garbage scavenging† and working in garbage dumps† (15)
	Working as servers in restaurants ( <i>comedores</i> ) (10)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, production of garments, domestic work, street begging, making corn tortillas, and vending (1,5,6,21-23,25-28)
	Use in the production of pornography (1,2,4,14,22)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,6,10,21-23,27,28)
	Use in illicit activities, including drug trafficking, and stealing and transporting contraband as a result of criminal and gang recruitment (5,14,21-23,25)

† 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.

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. Most of these children are engaged in agricultural activity. (22,29,30) In agriculture, working conditions for children involve using machetes and other dangerous tools, including in the cultivation of sugarcane. (14,31) Children as young as age 5 work in coffee fields picking and carrying heavy loads of coffee beans and mixing and applying pesticides. (32-34) Recently corroborated reports indicate that children are often sent into cities by their parents to work as street performers or beggars. Some of these children are sold to criminal organizations, work very long hours, and are at times forced to wear paint, which is often toxic, to attract more attention as they perform in the streets. (22)

Children, both Guatemalan-born and from other countries, are victims of commercial sexual exploitation, including in sex tourism. (20,27) Guatemala is a destination country for child sex tourists from Canada, the United States, and Western Europe. (5,6) Departments with high numbers of commercial sexual exploitation victims include Alta Verapaz, Escuintla, Guatemala, Huehuetenango, Quiché, and Quetzaltenango. (16) Girls, LGBTQI persons, and indigenous Guatemalans are particularly vulnerable to human trafficking. (27) Children are exploited for forced labor in Guatemala, particularly in agriculture and domestic work. (20) They are also forced to engage in street begging and vending in Guatemala City and along the border with Mexico. (6,28) Traffickers are increasingly using social media and online game applications to recruit children. (6,26) Multiple sources indicate that children are recruited into gangs to serve as lookouts, couriers, and drug dealers, or to commit extortion. Criminal organizations, including gangs, also exploit girls in sex trafficking. (1,20,22)

Guatemalan children often emigrate to escape violence, extortion, and forced recruitment by gangs, in addition to seeking economic opportunities and family reunification. Human trafficking is also a driver of child migration. (35,36) Gangs target adolescent girls for forced commercial sex, causing them and sometimes their entire families to flee Guatemala in fear. (36,37) Once en route, however, girls and other children from Guatemala remain vulnerable to human trafficking and commercial sexual exploitation. (35-37)

Significant barriers to accessing education exist in Guatemala, particularly for girls, indigenous children, and children in rural areas. (1,14) Education is free in Guatemala, although only through grade six, and there is an insufficient number of primary and secondary schools. (22,38) A lack of teachers, schools, transportation, and




sanitary facilities at public schools, and fees charged at private schools, all create barriers to education. (1,16,22) Over 70 percent of secondary schools are private, requiring families to pay school fees, transportation costs, supplies, and lodging when necessary. (16,22) The Ministry of Education does not supply textbooks to most public schools. (16) All these factors contribute to poor outcomes, high dropout rates, and high opportunity costs. (16) The education system is also unable to address the needs of students with disabilities, and the few existing education programs for children with disabilities rely mainly on non-profit support. (1,16,22,23) During the reporting period and as a result of the COVID-19 pandemic, an additional barrier to education was the lack of access of students to personal computers and Internet services, as schools in the country ceased in-person educational programs after March 2020. Many private school students also dropped out of school due to the deteriorating economic situation of their families. (16) Some reports estimate that 106,000 children left school in 2020. (39)

Reports indicate that there is a high degree of illiteracy among girls. (4,40,41) Due to the heightened security risks for girls traveling alone and cultural norms that prioritize boys' education over that of girls, girls in rural areas have lower enrollment rates in secondary school than boys. (16,22,23) Indigenous children in general have lower enrollment rates compared to other children. (4) There are not enough qualified teachers to provide instruction in the predominant native languages, and classroom materials available in these languages are insufficient. (14,41)

## 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 in the 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	15	Articles 31 and 148 of the Labor Code; Article 6 and 32 of Government Accord 112-2006; Ministerial Agreement Number 260-2019 (42-44)
Minimum Age for Hazardous Work	Yes	18	Article 148 of the Labor Code; Article 1 of Government Accord 250-2006 (42,45)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 4 of Ministerial Accord 154-2008 (46)
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 (47-49)

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

Standard	Meets International Standards	Age	Legislation
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 (47,50,51)
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 (50)
Prohibition of Using Children in Illicit Activities	Yes		Article 27 of the Penal Code (47)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 57 of the Law of Integral Protection of Children and Adolescents (48)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 68–69 of the Constitutive Law of the Guatemalan Army (52)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 57 of the Law of Integral Protection of Children and Adolescents; Article 245 of the Constitution (48,53)
Compulsory Education Age	Yes	15‡	Article 74 of the Constitution; Article 33 of the National Education Law; Ministerial Agreement 1055-2009 (53-55)
Free Public Education	Yes		Article 74 of the Constitution; Article I of Government Agreement 226-2008 (53,56)

‡ Age calculated based on available information (2,53,57)

Although Articles 32 and 150 of the Labor Code allow the Ministry of Labor and Social Welfare (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. This is inconsistent with international standards on light work. (42) MTPS indicated that no such exceptions have been granted since 2016. (1,58)

MTPS previously approved Ministerial Agreement Number 260-2019, "Procedure for the effective application of Convention 138 of the International Labor Organization, regarding the Convention on the Minimum Age for Admission of Employment," which sets forth procedures for protecting adolescents between ages 15 and 18 and ensuring that they do not participate in the worst forms of child labor. (22,44) However, the agreement does not explicitly cover children age 14, who are allowed to work under Guatemala's Labor Code (or children under age 14 who are allowed to work in exceptional circumstances). Therefore, it is unclear if this mechanism effectively raises the minimum age for work to age 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 enforcement agencies 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'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. (2,22) It also refers children found in child labor to government social services and refers complaints to the MTPS Adolescent Workers Protection Unit. (59,60) 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	Investigate cases of child trafficking through the Trafficking in Persons and Forced Labor Unit located within the Special Investigation Police, and operate a hotline to receive reports of suspected child trafficking cases. Also conduct welfare inspections in child labor cases and refer cases to civil court. (22)

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

Organization/Agency	Role
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, refers cases to the National Civil Police, and ensures the legal representation of children whose rights have been violated. (22)
Secretariat of Social Well-Being	Establishes procedural guidelines for government agencies and NGOs responsible for the protection and care of child and adolescent victims of commercial sexual exploitation via the Protocol for Identifying and Assisting Child and Adolescent Victims of Commercial Sexual Exploitation. Administrative unit under the Executive branch charged with formulating, coordinating, and executing public policies related to the protection of children and adolescents. (61,62)

### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$3.57 million (22)	\$3.70 million (63)
Number of Labor Inspectors	203 (64)	171 (16)
Inspectorate Authorized to Assess Penalties	Yes (42)	Yes (42)
Initial Training for New Labor Inspectors	Yes (22)	No (16)
Training on New Laws Related to Child Labor	Yes (31)	N/A (16)
Refresher Courses Provided	Yes (22)	Yes (16)
Number of Labor Inspections Conducted	34,439 (22)	27,537 (16)
Number Conducted at Worksite	18,426 (22)	15,433 (16)
Number of Child Labor Violations Found	10 (22)	14 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	3 (22)	1 (16)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (22)	0 (16)
Routine Inspections Conducted	Yes (22)	Yes (16)
Routine Inspections Targeted	Yes (22)	Yes (16)
Unannounced Inspections Permitted	Yes (42)	Yes (42)
Unannounced Inspections Conducted	Yes (22)	Yes (16)
Complaint Mechanism Exists	Yes (22)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (16)

In 2020, the General Labor Inspectorate conducted 421 child labor-specific inspections. The inspections were designed to target sectors in which children are the most vulnerable for work or the worst forms of child labor, such as small convenience stores, corn tortilla making, small bakeries, agriculture, fireworks confection, and informal work. (16) The government reported making an effort to inspect all sectors in which children work, particularly those related to the worst forms of child labor. (16) During the reporting period, 14 violations of child labor laws were found. As of November 2020, 14 children and adolescents were removed from child labor as a result of inspections, with 10 of those receiving social services. (16) MTPS reported that as of October 2020, it had imposed eight penalties, but that they were designed to be collected at the end of the administrative procedures. MTPS also reported that investigators were still conducting inspections in December 2020 and, therefore, were unable to provide updated information to be included in the report regarding the total number of penalties imposed or specific penalties for labor law violations issued for the reporting period. (16) Information regarding how much was collected in penalties in 2020 for child labor violations was still not available during the reporting period.

MTPS indicated that while there are seven inspectors designated to deal with child labor cases in the Department of Guatemala, all labor inspectors throughout the country carry out specific child labor

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inspections. (16) Yet, MTPS stated that the number of labor inspections was insufficient. This situation worsened during the pandemic, since some inspectors affected by pre-existing medical conditions or other vulnerabilities to COVID-19 had to be excused from work. (16)

All of Guatemala's inspectors received training during the reporting period, including in the enforcement of laws related to child labor and the worst forms of child labor. A comprehensive training plan for inspectors on human rights and labor rights started in November 2020 with support from the ILO and will last for 1 year. (16)

Guatemala's General Labor Inspectorate received less funding in 2020 compared to 2019, and MTPS has indicated that the funding level was insufficient to cover the inspectorate's needs, particularly for transportation, fuel, and per diem costs. (16) Furthermore, 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. (65,66)

During the year, 27,537 labor inspections were conducted, representing approximately 161 inspections carried out by each inspector. (16) This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections.

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, in which child labor violations are most likely to occur. (1,2,16,22,23) Some reports question the quality of inspections for child labor violations, particularly the scope and coverage across industries. (14) Civil society organizations state that, during worksite inspections, labor inspectors often meet only with business owners or supervisors and bypass conducting worker interviews. (9,67) Research indicates that labor inspectors are not appropriately trained to perform inspections for child labor. (1,10,12)

Furthermore, MTPS reported that inspectors conducted site visits in Spanish only, the language in use at worksites, but this may hinder inspections when encountering indigenous language speakers. (16)

The government has created a mechanism for filing complaints regarding child labor, but reports state that the mechanism is not efficient in responding to those complaints. (1,22,23) Furthermore, while Guatemala has established a referral mechanism between responsible agencies in cases of child labor, coordination between these agencies remains a challenge and requires the intervention of NGOs or international missions. (22) After the creation of the Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor (CICELTI) during the reporting period, complainants can now file concerns related to trafficking in persons (forced labor and labor exploitation modalities) and the worst forms of child labor through a WhatsApp number and an e-mail address. (16) In 2017, the General Labor Inspectorate regained the authority to impose penalties for labor law violations, and it began implementing this authority in 2018, including for child labor law violations. (22)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	N/A (22)	Yes (16)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (22)	N/A (16)
Refresher Courses Provided	Yes (22)	Yes (16)
Number of Investigations	Unknown (22)	Unknown (16)
Number of Violations Found	Unknown (22)	Unknown (16)



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

Overview of Criminal Law Enforcement	2019	2020
Number of Prosecutions Initiated	67 (22)	36 (16)
Number of Convictions	20 (22)	12 (16)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (22)	Yes (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (16)

In 2020, the Public Ministry's prosecution office responsible for trafficking in persons crimes reported that it investigated 59 new cases related to commercial sexual exploitation, 79 cases related to pornographic performances and pornography, and 39 cases related to forced child labor, labor exploitation, and related crimes. Unfortunately, they were unable to indicate the specific number of cases that involved children, as the system used does not allow any demographic breakdown of cases by age. (16) Thus, the total number of investigations involving the worst forms of child labor is unknown.

The government reported prosecuting 36 cases involving the worst forms of child labor. Of these, 10 were related to child pornography. There were 12 convictions related to child labor. (16) Of these, seven convictions were on crimes related to sexual exploitation and five convictions were for crimes related to child pornography. Meanwhile, two people convicted for trafficking in persons crimes received prison sentences between 8 to 13 years and 4 months in prison, and fines of \$38,960. (16) There were also three people convicted for possession of pornographic material involving minors and the sale and dissemination of pornography involving minors. (16) The total number of child labor violations found during the reporting period was unknown, as the government does not disaggregate its criminal law enforcement data by age.

Guatemala made efforts to increase anti-trafficking in persons resources and capacity outside of Guatemala City, and the Public Ministry continued making social workers and psychologists available to human trafficking victims to serve as liaisons as victims navigated proceedings and sought medical care. (5) In 2020, criminal law enforcement investigators received training on issues related to trafficking in persons, including the issue of child labor. (16) However, the Public Ministry's Office Against Trafficking in Person Crimes stated that the training was insufficient regarding forced labor and investigation techniques for forced labor. The training during the reporting period was provided virtually due to the pandemic. (16)

The government has established specialized courts to hear cases of human trafficking of adults and children and gender-based violence. Despite this, judges are often unable to schedule hearings and trials in a timely manner and often lack sufficient training to properly identify trafficking in persons cases. (28,67)

Although the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (SVET) is the primary institution charged with raising awareness on human trafficking, it has no authority to bring cases to the justice system and its small budget limits its reach beyond urban areas. (28) Local NGO reports indicate that training is insufficient outside the capital. (1,23) Law enforcement agencies also lack sufficient vehicles, fuel, and criminal investigators, particularly outside Guatemala City. (14,68) MTPS has noted that resources are still inadequate to carry out complex criminal investigations. (1) This is supported by the Public Ministry, which noted that due to the complexity of these investigations and crimes, more resources are necessary to conduct investigations. The Public Ministry also noted that the Special Prosecutor's Office Against Human Trafficking does not have an assigned budget and that it depends on the overall budget allocated to the Public Ministry. (16)

#### 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.

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

Coordinating Body	Role & Description
Specific Cabinet on Social Development (GEDS for its Spanish initials)	Coordinates, articulates, and manages policies related to development, social protection, and violence prevention for vulnerable populations such as children, women, indigenous populations, the elderly, individuals with disabilities, and people from rural areas. Established via Agreement 2-2019, the Thematic Working Group for the Prevention and Eradication of Child Labor assumed the National Commission for the Eradication of Child Labor's (CONAPETI) duties of coordinating government policies and efforts to combat child labor. (22) During the reporting period, efforts included: conducting two workshops to begin drafting the National Strategy for the Eradication of Child Labor and Protection of Adolescent Workers for 2021–2025; beginning the final evaluation of the Roadmap to Make Guatemala a Place Free from Child Labor and Its Worst Forms 2016–2020 through regional meetings to measure achievements; and opening a comprehensive care center for the prevention and eradication of child labor in the municipality of San Marcos that seeks to reintegrate children and adolescents who were victims of child labor. This care center was opened in coordination with institutions that are part of Departmental Committees for the Eradication of Child Labor (CODEPETI). (16) Also in 2020, conducted an in-person meeting and three webinars to follow up on actions related to the Child Labor Risk Identification Model (MIRTI), providing results and information fact sheets at the national, departmental, and regional levels, and socializing the implementation and progress on phase II of the MIRTI model. (16)
Departmental Committees for the Eradication of Child Labor (CODEPETI)	Coordinates government efforts to combat child labor at the departmental or regional level. Comprising department-level representatives of member agencies of the Thematic Working Group for the Prevention and Eradication of Child Labor, and NGO and business representatives. (2) In 2020, some of these institutions coordinated with GEDS in the opening of the comprehensive care center for the prevention and eradication of child labor in the municipality of San Marcos. (16)
Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons (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 human trafficking and a hotline to file child sex tourism complaints. Led by the Vice President's Office. (69) In 2020, provided support to informational and prevention activities on the issue of human trafficking. It also coordinated with local organizations and community leaders through the work of departmental and community consultants hired for 2020. Provided training on trafficking in persons crimes to public servants and staff who worked with vulnerable sectors of the population, including children and adolescents, during the reporting period. (16) In 2016, SVET relaunched the Inter-Institutional Commission Against Trafficking-in-Persons (CIT), which is co-chaired by the Ministry of Foreign Affairs and includes 32 government and civil society institutions. CIT develops and manages initiatives to combat human trafficking. (28,70) In February 2020, it held a high level meeting in which they discussed the actions planned for 2020 to advance the government's efforts in the area of human trafficking. (70) In November 2020, CIT held its last meeting of the year during which they presented a situational analysis of the disappearances of women, children, and adolescents in the country. (71)
Inter-Institutional Coordinating Entity Against Labor Exploitation and Child Labor (CICELTI)*	Aims to identify victims of human trafficking, make anti-trafficking in persons institutions more effective, provide support to victims to prevent them from being targeted again, and encourage the strengthening of government mechanisms to prevent labor exploitation, forced labor, and other forms of human trafficking. It also coordinates efforts to combat labor exploitation, forced labor, and child labor. (16) Launched in October 2020 by MTPS, the Solicitor General's Office, the Public Ministry, and SVET. Established as part of the amendments to the Agreement for Inter-Institutional Coordination for the Comprehensive Approach of Trafficking in Persons in the Modality of Labor Exploitation and Forced Labor that was signed on July 30, 2019. (16) In 2020, 21 child and adolescent victims were removed from situations of exploitation through CICELTI's coordination efforts, with 10 of these victims being referred to social services. (16)
National Platform for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Travel and Tourism	Targets sexual exploitation of children and adolescents in the travel and tourism sector. (19) 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. (19) Research was unable to determine whether the coordinating body was active during the reporting period.

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

‡ The government had other mechanisms that may have addressed child labor issues or had an impact on child labor. (46,72)

In 2020, MTPS reported that it worked jointly with the Thematic Working Group for the Prevention and Eradication of Child Labor, the ILO, and the Economic Commission for Latin America and the Caribbean to complete the first phase of implementation of the Child Labor Risk Identification Model (MIRTI). MIRTI is a tool that will allow MTPS to design and implement preventive strategies at the local level by identifying the areas of greatest child labor vulnerability. (16) Participant institutions began implementing MIRTI's second phase in the municipality of San Pedro Sacatepéquez in the department of San Marcos as part of a pilot plan to map programs and services aimed at children and adolescents engaged in child labor and its worst forms. Implementation of

the second phase will allow identification, design, and adjustment of multi-sector interventions in the community to strengthen preventive protection services against child labor and reduce the risk of exposure of children, adolescents, and communities to child labor. (16)

Despite improvements in inter-agency coordination to address human 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. (73) Some civil society organizations have indicated that despite being members of the Inter-Institutional Commission Against Trafficking in Persons, the commission is not fully inclusive of civil society perspectives and that they participate primarily as observers on the commission. (28) Furthermore, although it plays a significant role in combating human trafficking in Guatemala, reporting suggests that SVET lacks political support from other parts of the government. (28)

### 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 policy implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Roadmap to make Guatemala a Country Free of Child Labor and Its Worst Forms 2016–2020	Aimed 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. (17,73-76) In anticipation of the effective end of the Roadmap in 2020, MTPS and the Thematic Working Group for the Prevention and Eradication of Child Labor, in cooperation with ILO, developed the MIRTl tool. During the reporting period, it completed the first stage of implementation of the MIRTl model. (16) As a result, vulnerability maps for the 8 regions and 22 departments of the country were developed, as well as a map at the national level. Each of these maps included a respective analysis on risk and protection factors associated with the probability of child labor in the 340 municipalities of the country in 2020. (16)
Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor	Requires public health workers to enter information into a database about any child whose injuries may have been labor related. Implemented by the Ministry of Public Health and Social Assistance. (77,78) Research did not reveal whether any actions were taken under this policy in 2020.
Inter-Institutional Detection and Action Protocol For Immediate Response to Cases of Sexual Exploitation Against Children and Adolescents in Travel and Tourism	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. (2,61) Research did not reveal whether any actions were taken under this policy in 2020.
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. (19,46,78) The government reported that in 2020 the protocol was still active and that shelters coordinated with government entities and civil society organizations provision of basic services to cover the needs of sheltered victims. As established in the protocol, virtual training was provided to public employees on the procedures for the protections and care of victims of human trafficking. (16)
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. (79) Includes a National Plan of Strategic Action that directs the government's actions on preventing and combating human trafficking. During the reporting period, institutions responsible for the implementation of the protocol continued conducting actions related to prevention, detection of victims, care and protection, and prosecution and punishment of crimes. (16)

In the reporting period, SVET launched and carried out the 2020 National Plan for the Prevention of Crimes of Sexual Violence, Exploitation and Trafficking in Persons. (80) Its objective is to prevent the commission of these crimes and reduce the number of victims. To do this it implemented awareness-raising campaigns, trainings, and prevention strategies about these crimes. (80) In 2020, the government managed to reach a total of 363,326 people in 10 languages throughout the entire country, including 3,294 populated areas and 1,881 public and private education centers. (81)

# Guatemala

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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Ministry of Development Social Poverty Reducing Programs†	Conditional Cash Transfer for Education and Health Program ( <i>Mi Bono Social</i> ) provides cash assistance to families with school-age children, conditioned on children's school attendance. (23,82) <i>Mi Bolsa Social</i> provides food assistance to poor families, with the requirement that their children attend school. (23) My Secure Dining Hall ( <i>Mi Comedor Social</i> ) provides access to food for people in situations of poverty, crisis, and emergency, including children. (16,83) The government reported these programs all remained active in 2020.
Care Strategy for School Success in First Grade ( <i>Estrategia de Atención para el Éxito Escolar en Primer Grado de Primaria</i> )	Seeks to decrease school dropout rates and increase enrollment and advancement to the next grade at a national level. (23,84) Goals include generating conditions to achieve competency in reading and writing, providing teacher training, conducting diagnostic evaluations, and supplying educational materials and pedagogical support. (84,85) Aims to serve 35,000 first grade students. (85) Relaunched in 2019 through Ministerial Accord 2669-2019 with a focus on improving indicators of success and conditions for learning for first graders. (86) In 2020, distributed student books and diagnostics tests in an effort to guarantee quality education for first grade students. As part of the response to the pandemic, the Ministry of Education also distributed guidelines on how to care for students during the pandemic and how to orient parents on the teaching of reading and writing. (16) The government reported that 439,818 first grade students benefited directly from the Care Strategy for School Success in 2020. (16)
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 for sexual abuse of children and adolescents between ages 10 and 15, and "Protecting Our Greatest Treasure" to create awareness of sexual exploitation of children in tourism and travel activities. (26,77) Research could not identify actions undertaken during the reporting period to carry out this program.
Human Trafficking Awareness Campaigns	SVET and Office of the Human Rights Ombudsman campaigns that aim to educate the public about trafficking in persons issues. (28) In 2020, as part of its <i>Corazon Azul</i> (Blue Heart) campaign, the Guatemalan president signed 11 commitments of the government to eradicate human trafficking, by spreading the message "Human Beings Are Not for Sale". (87) As part of World Day Against Trafficking in Persons in 2020, the judges of the Criminal Court of First Instance and of the Sentencing Court with Specialized Competence in Crimes of Trafficking in Persons of the Department of Guatemala and Quetzaltenango joined the <i>Corazon Azul</i> campaign. They also signed the <i>Corazon Azul</i> Pact to symbolize their adhesion to the campaign, which calls signers to carry out concrete actions to prevent and combat human trafficking. (88)
Business Network for the Prevention and Elimination of Child Labor in Guatemala ( <i>Red Empresarial</i> )	Aims to promote prevention and eradication of child labor. Members include the ministries of Education and Agriculture, MTPS, the Thematic Working Group for the Prevention and Eradication of Child Labor, ILO, UNICEF, the UN Food and Agriculture Organization, and representatives from the private sector. (15,89) Reports indicate this program was active in 2020, and continued to implement a variety of health, nutrition, education, and awareness programs in a variety of agricultural sectors, although operations were adjusted during the pandemic. The nature of these adjustments is unknown. During the reporting period, the Business Network held virtual meetings once a month. (90)

† 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. (19,91,92)

Despite the cessation since March 2020 of in-person educational programs in the country due to the pandemic, the Ministry of Education reported spending approximately \$255.8 million to continue the school feeding program through the distribution of non-perishable food to 2.5 million public school students in 2020. (16)

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. (1,16,22) 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 work. Reporting also indicates that SVET and the Office of the Human Rights Ombudsman fail to regularly monitor the effectiveness of awareness campaigns beyond tracking the number of individuals reached. (28)

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. (28,40) 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. (93)

### 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	Criminally prohibit the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
	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 – 2020
	Clarify whether Ministerial Agreement 260-2019 raises the minimum working age to 15.	2019 – 2020
Enforcement	Collect and report data on the total amount in fines collected in relation to child labor violations.	2019 – 2020
	Provide sufficient funding and resources to the labor inspectorate to ensure operational needs are met.	2017 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that inspectors carry out inspections in the informal sector, an area in which child labor is known to occur.	2018 – 2020
	Improve the quality of inspections by ensuring that inspectors receive effective training, meet with all relevant parties, including workers, and dedicate the necessary time to carry out more comprehensive inspections.	2017 – 2020
	Ensure that labor inspectors are able to communicate with indigenous language speakers, including those who may be underage, to adequately conduct inspections for child labor violations.	2020
	Improve effectiveness of child labor complaint and referral mechanisms to ensure timely responses to complaints.	2018 – 2020
	Disaggregate enforcement data to identify child labor-related investigations and report on the number of violations for the worst forms of child labor.	2018 – 2020
	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 – 2020
	Ensure that hearings and trials addressing human trafficking and gender-based violence in specialized courts are scheduled in a timely manner and that judges are trained in trafficking in persons concepts.	2016 – 2020
	Ensure that criminal investigators have sufficient resources and staff to conduct quality criminal investigations in all geographical areas of the country.	2009 – 2020
Coordination	Ensure actions are taken to carry out the mandates of the National Platform for the Prevention and Protection of Children and Adolescents against Sexual Exploitation in Travel and Tourism.	2020
	Ensure the Secretariat Against Sexual Violence, Exploitation, and Trafficking in Persons has the resources, authority, and political support necessary to combat human trafficking countrywide.	2019 – 2020
	Strengthen coordination efforts to institutionalize relationships between civil society representatives and government agencies that provide services to victims of child labor, for example by fully incorporating civil society participation in the Inter-Institutional Commission Against Trafficking in Persons.	2013 – 2020
Government Policies	Publish activities undertaken to implement the Protocol for Providing Comprehensive Health Care to Children and Adolescents in the Worst Forms of Child Labor, and the Inter-Institutional Detection and Action Protocol For Immediate Response to Cases of Sexual Exploitation Against Children and Adolescents in Travel and Tourism during the reporting period.	2017 – 2020
Social Programs	Remove barriers to education 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 with appropriate facilities, providing textbooks to all public schools, and removing school fees and transportation costs.	2015 – 2020
	Ensure that social programs are implemented, well funded, able to carry out their objectives, reach populations outside urban centers, and report on yearly activities.	2018 – 2020
	Initiate social programs to address child labor in agriculture and domestic work, and for children who perform other types of hazardous work.	2009 – 2020
	Regularly monitor the effectiveness and impact of social programs such as awareness campaigns beyond number of citizens reached.	2017 – 2020
	Ensure high standards of safety and care for children in government-run shelters.	2016 – 2020
	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 – 2020



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In 2020, Guinea made minimal advancement in efforts to eliminate the worst forms of child labor. The government enacted a revised Child Code, which provides higher penalties for child labor violations and enumerates a more comprehensive hazardous work list. The government also approved a new National Action Plan to Fight Against Trafficking in Persons. However, children in Guinea are subjected to the worst forms of child labor, including in artisanal mining, sometimes as a result of human trafficking, and in forced begging. The government lacks a coordinating mechanism and national policy to address all relevant worst forms of child labor. Laws related to the minimum age for work also do not meet international standards because they do not include children working outside of a formal employment relationship and children who are self-employed. 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 are subjected to the worst forms of child labor, including in artisanal mining, sometimes as a result of human trafficking, and in forced begging. (1-3) Table 1 provides key indicators on children's work and education in 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	31.2 (Unavailable)
Attending School (%)	5 to 14	54.2
Combining Work and School (%)	7 to 14	17.3
Primary Completion Rate (%)		59.7

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 5 (MICS 5), 2016. (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 and carrying heavy loads† in the production of cashews, cocoa, coffee, and rubber (6-10)
	Herding livestock (7)
	Fishing, including capturing and processing fish (3,7,11-13)
Industry	Mining† granite, gold, and diamonds (1,3,7,9,14)
	Manufacturing, activities unknown (3)
	Construction,† including carrying materials and the fabrication of construction materials, such as bricks (3,15-17)
Services	Street work, including as market vendors, beggars, petty traders, shoe shiners, and porters in the transportation sector (7,12,14,15,18,19)
	Working in restaurants and informal cottage industries (7)
	Domestic work (7,9,11,13,14,20)
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 (3,7)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,18,20)
	Forced begging by Koranic teachers (3,7,20)

† 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.

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Children in Guinea are subjected domestically and abroad to forced labor, commercial sexual exploitation, and domestic servitude. Some Guinean boys are subjected to forced labor in artisanal gold and diamond mines, while Guinean girls are involved in domestic work and commercial sexual exploitation in various West African and Middle Eastern countries. (7-13,16-23)

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. (7,8,22) 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, but many become domestic workers and are victims of labor exploitation and abuse. (12,21) There are significant factors hindering access to education, such as the limited number of public schools, the lack of teachers (particularly in rural areas), funding, and poor infrastructure. Also, the cost of schooling remains prohibitively high for many Guinean parents. (20,24) Further, children are required to have birth registration to access education and health care and the government provided no support to children with disabilities in regular schools. (24-26,27)

## 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 919 of the revised Children's Code (24,28)
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; Articles 922 and 925 of the revised Children's Code (16,24,28)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		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; Articles 909–936 of the revised Children's Code (16,24,28,29)
Prohibition of Forced Labor	Yes		Articles 194, 195, and 323 of the Penal Code; Articles 4 and 137.6 of the Labor Code; Articles 912–915 and 922 of the revised Children's Code (3,24,28,30)
Prohibition of Child Trafficking	Yes		Articles 195, 323, and 324 of the Penal Code; Articles 893–901 and 912 of the revised Children's Code (24,30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 346–348 and 355 of the Penal Code; Articles 820, 852–856 of the revised Children's Code (24,30)
Prohibition of Using Children in Illicit Activities	Yes		Article 137.6 of the Labor Code; Article 890 of the Revised Children's Code; Article 344 of the Penal Code (24,28,30)

**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 941 of the revised Child Code (24)
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 941 of the revised Child Code (24,30)
Compulsory Education Age	Yes	16	Article 6, Title I of Education Decree 97/196/PRG/SGG (31)
Free Public Education	No		

\* No conscription (32)

In June 2020, the revised Child Code entered into force, which provides higher penalties for crimes related to child trafficking, forced labor, violence against children in the workplace, and child pornography. (3,24) It also provides additional hazardous work prohibitions, including work at night, using mechanical tools, handling explosives or corrosives, and extracting ore in quarries or mines. (24) The revised Child Code and Labor Code allows children between the ages of 12 and 14 to perform light work, which does not meet international standards as it applies to children under age 13. In addition, these laws do not prescribe the number of hours per week permitted for light work, nor do they specify the conditions under which light work may be done. Moreover, these laws only apply to workers with written employment contracts, leaving self-employed children and children working outside of formal employment relationships vulnerable to exploitation. (3,33) Although the revised Child Code provides free basic education for certain vulnerable groups, such as disabled and orphaned children, it does not provide free education for all children. (24) The updated constitution, enacted in 2020, stipulates free education up to the age of 16 under conditions provided by the law; however, the government has not yet enacted legislation to institute free basic education standards within Guinea's legal framework. (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 enforcement agencies 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 Laws	Enforces all labor laws, including those related to child labor, through its labor inspectorate. (12,35,33) Oversees the Child Labor Monitoring and Surveillance System, which aims to identify and remove children from exploitative labor conditions. (36) In June 2020, the National Labor Directorate, previously under the Ministry of Technical Education, Vocational Training, Employment, and Labor moved to the Ministry of Labor and Social Laws. (3)
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. (7,12,15,18,32) Formulates, plans, and monitors all activities, programs, and policy measures for safeguarding vulnerable population groups and protecting morality. (13) There is 1 representative of OPROGEM in each of the 33 central police stations of the country who specializes in issues related to the trafficking of women and children. (37) In July 2020, OPROGEM arrested a group of women accused of exploiting eight children, including seven albino children, who were forced to beg in Conakry. (3)
Ministry of Social Action and Vulnerable People	Provides protection and social services for victims of child labor and human trafficking. (12,38) During the reporting period, the Ministry for Social Action, Promotion of Women and Children changed its name to the Ministry of Social Action and Vulnerable People. (3) In addition to the name change, the Ministry's mandate as the lead agency for child protection issues was clarified. (39,40)
Ministry of Justice	Delivers judgements through its juvenile court, concerning the placement of any children in a service center. The Juvenile Court also collaborates and monitors cases with the National Directorate of Supervised Education and Youth Protection ( <i>Direction Nationale de l'Éducation Surveillée et de la Protection de la Jeunesse</i> ), which is under the Ministry of Justice, and is, by law, the supervising body of public social services centers. (3,15)



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### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	Unknown (41)	Unknown (3)
Number of Labor Inspectors	189 (41)	200 (3)
Inspectorate Authorized to Assess Penalties	Yes (28,41)	Yes (3,28)
Initial Training for New Labor Inspectors	No (41)	Yes (3)
Training on New Laws Related to Child Labor	N/A (41)	No (3)
Refresher Courses Provided	Yes (41)	No (3)
Number of Labor Inspections Conducted	376† (41)	200 (3)
Number Conducted at Worksite	Unknown (41)	116 (3)
Number of Child Labor Violations Found	9† (41)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	9† (41)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (41)	N/A (3)
Routine Inspections Conducted	Yes (41)	Yes (3)
Routine Inspections Targeted	Yes (41)	Yes (40)
Unannounced Inspections Permitted	Yes (41)	Yes (3,28)
Unannounced Inspections Conducted	Yes (41)	Yes (3)
Complaint Mechanism Exists	Yes (41)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (41)	No (3)

† Data are from January 1, 2019 to November 30, 2019.

During 2020, the government employed 200 individuals as part of its labor inspectorate and conducted 200 inspections, 2 of which focused exclusively on child labor. Many of the inspections conducted during the reporting period took place in mining areas, specifically Boké, Boffa, Sigui, and Dubreka. (3,15,41) The labor inspectorate does not have a dedicated budget and maintains only a single vehicle, with a portion of each inspector's salary used to cover fuel costs for inspection trips, restricting the labor inspectorate's ability to conduct labor inspections. (3,15,20,41)

### Criminal Law Enforcement

In 2020, 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 and publishing information.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (41)	N/A (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (41)	N/A (3)
Refresher Courses Provided	Yes (41)	Yes (3)
Number of Investigations	Unknown (41)	2 (40)
Number of Violations Found	Unknown (41)	2 (40)
Number of Prosecutions Initiated	Unknown (41)	2 (40)
Number of Convictions	Unknown (41)	Unknown (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (41)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (41)	Yes (3)

Research indicated that the Office for the Protection of Gender, Children, and Morals Special Police Unit was

understaffed, underfunded, and without sufficient office supplies, transportation, or fuel to enforce laws related to the worst forms of child labor. (12,15,32,42) The government did not provide complete information for inclusion in this report on its criminal law enforcement efforts, including the number of convictions or whether it imposed penalties for violations. (3) During the reporting period, the government implemented new standard operating procedures to identify human trafficking victims, including children, and refer them to services. The government distributed written materials and trained government and civil society stakeholders on the new standard operating procedures. (43)

#### 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 ensuring that coordinating bodies are provided budgets in line with their responsibilities.

**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 of Social Action and Vulnerable People, includes representatives from OPROGEM, Ministry of Labor and Social Laws, and other ministries. (7,18,22,38) Met three times during the reporting period. The President of CNLTPPA and the President of Expertise France hosted a workshop for government officials to increase awareness about trafficking in persons. (3) CNLTPPA's president also announced continued funding, with international assistance, for the national human trafficking hotline, which they noted in 2020 received 2,196 calls—593 of which were regarding minors. (3)
Committee for Monitoring, Protection, and Defense of the Rights of the Child (CGSDE)	Implements, coordinates, and monitors government efforts on child protection issues, including child labor. Led by the Ministry of Social Action and Vulnerable People, with participation from the Ministry of Labor and Social Laws. (18,32,40,44) Prepares periodic reports to treaty bodies in the UN (Committee on the Rights of Children), and the African Union (African Committee of Experts on the Rights and Welfare of Children), while leading workshops to disseminate recommendations on child protections matters from these treaty bodies. (39) Research was unable to determine whether specific activities were undertaken by the CGSDE during the reporting period.

Limited budgets for the National Committee to Combat Trafficking in Persons and Similar Practices (CNLTPPA) and the Committee for Monitoring, Protection, and Defense of the Rights of the Child affect their ability to operate and coordinate efforts to address child labor. (2,12,32,42,45) 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. (46)

#### 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 Economic and Social Development Plan ( <i>Plan National de Développement Economique et Social</i> ) (2016–2020)	Sought to promote sustainable development and social equality focusing on four pillars: promotion of good governance for sustainable development; inclusive and sustainable transformative economics; inclusive development of human capital; and sustainable management of natural capital. Overseen by the Ministry of Planning and International Cooperation and supported by the World Bank. (47,48) Included activities to combat commercial sexual exploitation of children, human trafficking, and child labor. (47)
National Action Plan for Trafficking in Persons†	Focuses on six strategies to fight against child trafficking, including strengthening the legal framework, reinforcement of prevention devices, promotion of assistance and support of victims, strengthening cooperative partnerships, and monitoring and evaluation. (46,49) Managed by the CNLTPPA. Approved in June 2020. (37,46,49)

† Policy was approved during the reporting period.

On September 8, 2020, the CNLTPPA, Minister of Labor and Social Affairs, international organizations, private sector companies, labor unions, and civil society organizations met for 4 days to create a national strategy for

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reducing and dismantling networks associated with trafficking in persons. (3) Although the Government of Guinea has adopted a National Action Plan for Trafficking in Persons, research found no evidence of a policy on other worst forms of child labor. (13,15,41,51)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (52-55) During the reporting period, the World Bank approved an \$80 million COVID-19 pandemic emergency response program focusing on development. (3)
UNICEF Rapid Response to COVID-19 Pandemic (2020–2021)*	Works on expanding continuous learning during pandemic closures through print, radio, TV, and online, with a focus on vulnerable groups such as children in rural areas and those with disabilities; also mobilizes a back-to-school campaign, safe reopening of schools through water, sanitation, and hygiene programs, and provide guidance to parents on school health. In May 2020, UNICEF provided \$7 million in grant funding to support the Ministry of Education and Alphabetization (MENA) to fight the pandemic. (56)
Ten-Year Education Program for Guinea (2020–2029)*	Launched under the third tier of the National Economic and Social Development Policy. Provides for tuition-free schooling and makes provisions to ensure vulnerable students such as orphans, disabled, and albino students have access to education. Implemented by the MENA at the primary school level and published October 2019 and covering the 10 year period from 2020–2029. (50)

\* Program was launched during the reporting period.

During the reporting period, the Guinean Association of Social Workers and several local NGOs have established a toll-free line to report abuse against women and children. Call center employees collect information and then refer the caller to the appropriate agency for assistance or protection. (3) Research found that the scope of programs implemented by the Government of Guinea is insufficient for the extent of the problem, including addressing children engaged in agriculture, domestic work, forced begging, mining, and street work. (36)

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. (3,7,12,15,20,22,32,42)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for light work to age 13 to comply with international standards; ensure that the law's light work provisions specify the conditions in which light work may be undertaken and the number of hours that are permitted for children engaged in light work.	2015 – 2020
	Ensure that all children are protected by law, including children working outside of a formal employment relationship and children who are self-employed.	2009 – 2020
	Establish by law free basic education.	2019 – 2020
Enforcement	Provide consistent training, including initial and refresher courses and training on new laws, for labor law officials.	2009 – 2020
	Publish information on labor inspectorate funding and the numbers of convictions and imposed penalties related to the criminal enforcement of child labor laws.	2011 – 2020
	Establish a referral mechanism between the Ministry of Labor and the Ministry for Social Action and Vulnerable People to protect and rehabilitate children involved in child labor.	2016 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure labor inspectors and criminal law enforcement officers receive adequate resources to enforce labor laws, including office supplies, fuel, and vehicles.	2020
Coordination	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 – 2020
	Ensure that Committee for Monitoring, Protection, and Defense of the Rights of the Child is active.	2018 – 2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor.	2014 – 2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by improving school infrastructure and increasing school and teacher availability; and remove any school-related fees.	2010 – 2020
	Ensure all children have access to education regardless of whether or not they have birth registration.	2020
	Ensure that social services are properly funded and adequately meet the needs of victims of the worst forms of child labor.	2010 – 2020
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, forced begging, mining, and street work.	2010 – 2020

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In 2020, Guinea-Bissau made minimal advancement in efforts to eliminate the worst forms of child labor. The National Institute for Women and Children identified and assisted 75 talibé children with medical assistance, shelter, family identification and the registration of birth certificates. In addition, in October 2020, the government reopened schools with provisions aimed at addressing lost school time due to lengthy teacher strikes and the COVID-19 pandemic, including an increase of an additional school day to each week of the school calendar to ensure minimal repercussions to children's education. However, children in Guinea-Bissau are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Furthermore, the minimum age for work is not in compliance with international standards since the law's minimum age protections do not apply to children without a work contract. Lastly, law enforcement officials do not receive sufficient training and resources to adequately conduct inspections and prosecute cases of child labor, and 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 are subjected to the worst forms of child labor, including in forced begging, sometimes as a result of human trafficking. (1-3) Children also engage in child labor in agriculture. (2,4-6) 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. (5) 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 (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (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 cashews (4-6,9)
	Fishing, activities unknown (5,6)
Services	Domestic work (4-6,10,11)
	Street work, including shoe shining and vending (6)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,12)
	Forced labor in domestic work, agriculture, and street work, including begging, each sometimes as a result of human trafficking (1-3,10,11)

‡ 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

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religious education as traditionally intended, some force the students, known as *talibés*, to beg on the streets for money and food. (1,2,11,13) Most *talibés* originate from the areas of Bafatá and Gabú in the eastern region of the country. (1,2,13,14)

Bissau-Guinean boys are forced to work in street vending domestically; they are also transported by human traffickers to Senegal for forced labor in agriculture, mining, and street vending. Boys from Guinea-Bissau and boys from neighboring countries are forced to beg and harvest cashews domestically. (2,3,9,11,13) Girls are subjected to forced labor in street vending and domestic work in Guinea-Bissau and Senegal. Girls are also subjected to commercial sexual exploitation, including in sex tourism, in the Bijagós Archipelago of Guinea-Bissau, on mainland Guinea-Bissau in bars and hotels, and in Senegal. (2,3,10,13)







Barriers to education for children include lack of schools, poor infrastructure, and long distances, particularly in rural areas. (1,6,15) Reports indicate that only one in three children have access to primary education in Guinea-Bissau. (1,11) During the reporting period, most children did not attend school due to strikes by teachers over unpaid salaries, which have been ongoing since 2019. (6,16) The COVID-19 pandemic resulted in further school closings, and public school children's access to virtual classes was limited. (6) However, in October 2020 schools reopened with provisions aimed at addressing the lost school time, including an increase of an additional day to each week of the school calendar to ensure minimal consequences to children's education. (17)

Political instability may have affected the government's ability to address the worst forms of child labor. (6,18)

## 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 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	Articles 1, 2, 146 and 186 of the General Labor Law (19)
Minimum Age for Hazardous Work	Yes	18	Articles 148 and 186 of the General Labor Law (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Article 148 of the General Labor Law (19)
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 (20,21)
Prohibition of Child Trafficking	Yes		Articles 2, 4, and 15 of the Law to Prevent and Combat Human Trafficking (21)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3–5 and 15 of the Law to Prevent and Combat Human Trafficking; Articles 134 and 136 of the Penal Code (20,21)
Prohibition of Using Children in Illicit Activities	Yes		Articles 3 and 7 of the Decree on Narcotic Substances (22)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Article 31 of Law No. 4/99 (23)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of Law No. 4/99 (23)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15‡	Articles 12–13 of the Education System Law (24)
Free Public Education	No		Article 12(2) of the Education System Law (24)

‡ Age calculated based on available information (24,25)

The legislature is in the process of adopting amendments to the Code of Child Protection, which were drafted in 2019, to harmonize its human trafficking provisions with international law. (26)

The minimum age for work is not in compliance with international standards because the law's minimum age protections do not apply to children working without a work contract. Moreover, the government has not determined by national law or regulation the types of hazardous work prohibited for children. (19,25)

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. (24) 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. (19,24)

### 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 operations of enforcement agencies 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 the Interior and Justice, and the National Institute for Women and Children (IMC). (13)
Ministry of the Interior's Public Order Police and National Guard	Combats child labor through the prevention of child trafficking. (13)
Judicial Police's Women and Children Brigade	Investigates the worst forms of child labor, including child trafficking, and refers cases to IMC and NGOs. Comprising seven officers. (6)

#### **Labor Law Enforcement**

In 2020, 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 complaint and referral mechanisms.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	Unknown (6)
Number of Labor Inspectors	28 (13)	28 (6)
Inspectorate Authorized to Assess Penalties	Yes (27)	Yes (28)
Initial Training for New Labor Inspectors	No (13)	Yes (26)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (13)	Unknown
Number of Labor Inspections Conducted	49 (13)	Unknown
Number Conducted at Worksite	49 (13)	Unknown
Number of Child Labor Violations Found	0 (13)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	N/A	Unknown
Number of Child Labor Penalties Imposed that Were Collected	N/A	Unknown
Routine Inspections Conducted	No (13)	No (6)
Routine Inspections Targeted	No (13)	No (6)
Unannounced Inspections Permitted	Yes (27)	Yes (28)
Unannounced Inspections Conducted	Yes (13)	Yes (6)
Complaint Mechanism Exists	No (13)	No (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (13)	No (6)

Reports indicate that not only is the number of labor inspectors insufficient to target the scope of the problem in the country, but limited resources, such as 1 vehicle shared among 28 inspectors with no budget for fuel, severely hinders the Ministry of Labor and Public Administration's ability to enforce child labor laws. (13) In addition, reports indicate that due to lack of funding, inspectors respond mainly to complaints rather than initiating targeted inspections based on risk-prone sectors and patterns of serious incidents. (26)

In 2020, pre-scheduled trainings for labor inspectors were cancelled due to the pandemic. (26) The government did not provide information related to the number of labor inspections conducted, the number of child labor violations found, or the number of penalties imposed or collected for child labor violations. (6)

### **Criminal Law Enforcement**

In 2020, 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 allocation of financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (29)	No (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (13)	No (26)
Number of Investigations	4 (13)	8 (26)
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	No (13)	No (6)

The government reported 34 cases of human trafficking during the reporting period. (26,30) Of these 34 cases, the Judicial Police reported investigating 8 cases of child trafficking related to *talibés* and 26 cases of sex trafficking. It is unknown if any of the sex trafficking cases involved children. (26,30) The government did not provide information regarding the number of prosecutions, convictions, or imposed penalties for violations

related to the worst forms of child labor during the reporting period. Aside from the 34 human trafficking cases reported, comprehensive data on the number of investigations conducted during 2020 were not provided. (26,30)

In 2020, the government did not provide any specialized anti-trafficking trainings. Moreover, most planned trainings by international organizations were cancelled or postponed due to the pandemic, though some resumed during the latter part of the year, including trainings on communication and assistance to victims and data management that were funded by IOM and UNODC. (26,30) The Judicial Police received some funding and training from the UN and bilateral donors; however, it lacked an operating budget and had very limited resources, hindering criminal law enforcement from investigating cases outside of the capital of Bissau, including in Gabú and Bafatá, where child labor is known to occur. (1,6,9,26)

#### 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 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. (31) Research was unable to determine whether the Inter-Ministerial Commission to Fight Child Labor was active during the reporting period.
Inter-Ministerial Committee to Prevent and Combat Trafficking in Persons	Coordinates government efforts to combat human trafficking. Led by the IMC. (31) In 2020, continued coordinating efforts to combat human trafficking, including the formation of sub-committees at the regional level to prevent child trafficking. (6)
National Institute for Women and Children (IMC)	Coordinates with NGOs and other partner organizations to rehabilitate and reintegrate child victims of exploitation. (13) In 2020, in collaboration with the Government of Senegal, rescued and repatriated 18 child trafficking victims. Between March 2020 and February 2021, identified and assisted 75 <i>talibés</i> with family identification, medical assistance, shelter, and the registration of birth certificates. Provided shelter services to vulnerable children during the pandemic, and initiated dialogues with Koranic teachers regarding <i>talibé</i> human trafficking victims. (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 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 toward children, including child labor. (32) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Emergency Plan for the Prevention and Combat of Trafficking in Persons (2020–2021)	Aims to prevent and reduce human trafficking by strengthening legislation, coordinating actions and initiatives among government agencies, promoting the coordination and collaboration of relevant stakeholders, and improving protective services and assistance to victims. Led by the IMC with the collaboration of national and international NGOs and relevant government entities. (33) The government officially approved the National Emergency Plan for the Prevention and Combat of Trafficking in Persons in July 2020. (26)
Code of Conduct Against Sexual Exploitation in Tourism	Seeks to raise awareness of commercial sexual exploitation of children and child trafficking in Guinea-Bissau, particularly in the Bijagós Archipelago. (34) In 2020, the IMC and the Ministry of Tourism continued to implement the Code of Conduct Against Sexual Exploitation in Tourism. (26)
UN Country Partnership Framework (2016–2020)	Aimed to assist in promoting free and universal birth registration, and enforcing human trafficking and child labor provisions. (35) Since 2016, helped the IMC reintegrate 132 <i>talibés</i> with their families, and provided access to shelter, schools, and psychological and medical assistance. (36)



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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Friends of the Child Shelters ( <i>Associação dos Amigos da Crianças</i> )†	Donor-funded program, with government support, implemented by a national NGO that provides social services to vulnerable children, including victims of the worst forms of child labor. (37,38) In 2020, assisted 159 child trafficking victims.(6)
UNICEF Country Program (2016–2020)	UNICEF-funded program, in collaboration with the government, that aimed to prevent and combat child trafficking through education, social protection mechanisms, and capacity building for law enforcement officials. (39)

† Program is funded by the Government of Guinea-Bissau.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (40)

Reports suggest that the government has not conducted any national public awareness-raising campaigns on human trafficking, including child trafficking. (26)

Reports indicate that due to funding constraints, services provided by shelters do not meet quality of care standards. (37) 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 the minimum age for work applies to all children, including children without a work contract.	2015 – 2020
	Determine by national law or regulation the types of hazardous work prohibited for children, after consultation with employers' and workers' organizations.	2009 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that all 9 years of basic education are free.	2015 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that the number of law enforcement officials is sufficient to address the scope of the problem, and that both law and criminal enforcement officials receive adequate training and resources to inspect, investigate, and prosecute cases of child labor throughout the country, including in Bafatá and Gabú, where child labor is known to occur.	2009 – 2020
	Strengthen the labor inspectorate by initiating routine inspections and targeting inspections based on the analysis of data related to risk-prone sectors and patterns of serious incidents.	2016 – 2020
	Establish a mechanism to receive child labor complaints.	2016 – 2020
	Establish referral mechanisms to ensure that children found during labor inspections and criminal investigations are referred to the appropriate social services providers.	2016 – 2020
	Publish labor law enforcement data, including information on labor inspectorate funding, the number of inspections conducted, violations found, and the number of child labor violations for which penalties were imposed and collected. In addition, publish criminal law enforcement data that are disaggregated for crimes against children, including the number of child labor investigations, violations found, prosecutions initiated, convictions secured, and penalties imposed for violations related to the worst forms of child labor.	2009 – 2020
Coordination	Ensure that the Inter-Ministerial Commission to Fight Child Labor is able to carry out its intended mandate.	2020

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Ensure that activities are undertaken to implement the National Policy for the Protection of Children and Adolescents.	2017 – 2020
Social Programs	Significantly increase efforts to raise national awareness of human trafficking, including child trafficking.	2018 – 2020
	Ensure that facilities, including shelters, have adequate resources to assist victims of the worst forms of child labor.	2015 – 2020
	Expand existing programs to address the scope of the child labor problem.	2009 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children by increasing the number of schools, improving school infrastructure, and providing transportation, particularly in rural areas.	2019 – 2020

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In 2020, Guyana made moderate advancement in efforts to eliminate the worst forms of child labor. The government established a new Ministry of Labor, which monitors, investigates, and enforces child labor law in collaboration with other government agencies. Guyana also published a National Child Labor Policy with a corresponding national action plan, and it launched a new nationwide trafficking in persons hotline. However, children in Guyana are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in mining. 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking.

Children also engage in dangerous tasks in mining. (1-8) The 2014 Multiple Indicator Cluster Survey 5 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. (3) Table 1 provides key indicators on children's work and education in Guyana. 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	20.1 (Unavailable)
Attending School (%)	5 to 14	97.1
Combining Work and School (%)	7 to 14	22.1
Primary Completion Rate (%)		97.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 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 cabbage, cherries, limes, rice, squash, sugarcane, and charcoal (1,6,7,9-13)
	Forestry, including logging,† preservation of lumber, and work in sawmills† (1,3,7,9,11,13)
	Raising animals, including chickens (9)
	Fishing,† activities unknown (1,7,9,14)
Industry	Construction,† activities unknown (7,9,13,14)
	Mining,† including gold mining and bauxite mining (3,7,9,11,13)
Services	Domestic work (1,6,7,9)
	Welding† and working in scrap iron yards (1,6,7,9)
	Working in stores, bars, and restaurants (1,6,7,9)

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**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 (1,6,7,9,15)
	Cleaning boats and ferries, and helping load luggage and goods (9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,7-9,11,13,14,16)
	Use in illicit activities, including planting marijuana and smuggling drugs, weapons, and goods (6,9)

† 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 subjected to commercial sexual exploitation in Georgetown and in 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. (1,6,8-10) Children are engaged in informal, small-scale mining in which they wash gold, operate dangerous machinery, and are exposed to hazardous chemicals. (7,9,10)

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. (6,7,9,10,17) The lack of information technology and the limited availability of electricity in rural and riverine communities also hindered access to education during the COVID-19 pandemic. (7)

## 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 insufficient 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 (18,19)
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 (18,20)
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 (18,20)



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	No		Article 40 of the Constitution; Article 3 of the Combating of Trafficking in Persons Act (21,22)
Prohibition of Child Trafficking	Yes		Article 3 of the Combating of Trafficking in Persons Act (22)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 3(2) of the Combating of Trafficking in Persons Act; Article 50(3) of the Protection of Children Act (22,23)
Prohibition of Using Children in Illicit Activities	No		Article 50(1) of the Protection of Children Act (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 18 of the Defense Act and Defense Amendment Act (24,25)
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 (19)
Free Public Education	Yes		Article 27 of the Constitution (21)

\* No conscription (1,26)

Guyanese laws addressing forced labor are not sufficient as they only prohibit trafficking in persons for purposes of forced labor; the law does not explicitly prohibit the use of forced labor itself. (21, 22) Guyanese law does not sufficiently prohibit all commercial sexual exploitation of children as it does not prohibit the use of children for prostitution, pornographic performances, or production of pornography. The law does, however, adequately prohibit the procuring and offering of children in prostitution and pornography, as Guyana's Combating of Trafficking in Persons Act prohibits the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation, which in turn includes prostitution and child pornography. (10,22,27) In addition, 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. (16,23)

The government finalized a revised Combating Trafficking in Persons Bill in 2019, but the Bill was not made law during this reporting period. (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 enforcement agencies 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*	Investigates reports of child labor and conducts routine labor inspections and refers children identified during labor inspections to the MHSS's Countering Trafficking in Persons Unit (C-TIP) and the Childcare and Protection Agency. (7,28) The C-TIP Unit, under the supervision of the Director of Public Prosecutions, prosecutes trafficking in persons cases. (7) Promotes public messaging on child labor. (26)
Ministry of Human Services and Social Security (MHSS)	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. (10) Includes a Trafficking in Persons Unit and the Childcare and Protection Agency, to which children identified during labor inspections are referred. (10) Reported two new investigations of child labor during the reporting period, including domestic servitude and commercial sexual exploitation. (7) In 2020, began to co-chair the Inter-Ministerial Task Force on Trafficking in Persons with MOHA. (7)

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

Organization/Agency	Role
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, MOHA, Ministry of Human Services and Social Security, Ministry of Education, and Ministry of Indigenous Peoples' Affairs, depending on the circumstances of each case. (10) During the reporting period, investigated 13 cases of human trafficking involving child victims. (7)
Ministry of Home Affairs (MOHA)	Leads enforcement of human trafficking laws. (10) During the reporting period, trained new police force recruits, immigration staff, police prosecutors, and detectives in best practices to investigate and prosecute human trafficking. (7)

\* Agency responsible for child labor enforcement was created during the reporting period.

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Guyana took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Human Services and Social Security (MHSS) 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	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (7)
Number of Labor Inspectors	14 (1)	17 (7)
Inspectorate Authorized to Assess Penalties	No (1)	No (7)
Initial Training for New Labor Inspectors	Yes (1)	Yes (7)
Training on New Laws Related to Child Labor	N/A (1)	N/A (7)
Refresher Courses Provided	Yes (1)	Yes (7)
Number of Labor Inspections Conducted	1,306 (1)	736 (7)
Number Conducted at Worksite	1,306 (1)	736 (7)
Number of Child Labor Violations Found	6 (1)	2 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (7)
Routine Inspections Conducted	Yes (1)	Yes (7)
Routine Inspections Targeted	Yes (1)	Yes (7)
Unannounced Inspections Permitted	Yes (1)	Yes (29)
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)

In 2020, the government continued to conduct routine inspections that targeted high-risk sectors, including agriculture, construction, and mining. (7) However, the number of labor inspectors is likely insufficient for the size of Guyana's workforce, which includes more than 313,800 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. (27,30) In 2020, the number of labor inspectors increased from 14 to 17, but the government recognizes that the number of inspectors is not sufficient to adequately monitor Guyana's workforce, including in the interior where child labor is most prevalent. (1,7,9,10,13) The significant decrease of labor inspections was a result of the pandemic and the related preventative measures taken by the government, such as business closures, curfew restrictions, and other health and safety restrictions. The labor inspectors were also working on a limited rotation, which contributed to a reduction in inspections. (31) Furthermore, inspectors have insufficient resources to conduct inspections in remote areas, including transportation and accommodation. There are also no inspectors dedicated to child labor; though inspectors continue to include child labor inspections in their schedules, and 15 of the 17 inspectors received training related to child labor and hazardous child labor. (7,10)

The government has acknowledged challenges in monitoring and enforcing the provisions established in Articles 41 (relating to child labor in factories) and 46 (relating to employer duties) of the Occupational Safety and Health Act, which aim to protect children from work that may harm their physical health or emotional development. (32)

The government did not provide information on its labor law enforcement efforts for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (1)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Yes (7)
Refresher Courses Provided	Unknown (1)	Yes (7)
Number of Investigations	6 (1)	2 (7)
Number of Violations Found	Unknown (1)	0 (7)
Number of Prosecutions Initiated	6 (1)	0 (7)
Number of Convictions	1 (1,2)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (7)

The government has acknowledged that there is an insufficient number of staff members in MHSSS' Trafficking in Persons Unit. (12,33) In addition, as of 2021, there are 22 magistrates and 17 judges in Guyana. (34)

## **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 Task Force on Combating Trafficking in Persons	Reports on the nature and magnitude of human trafficking in Guyana and documents the government's response. Carries out public education campaigns and promotes prevention measures. (1,10) Combats commercial sexual exploitation of children and the use of children in illicit activities. (1,15,35) Co-chaired by MOHA and MHSSS. Participating member agencies include the Guyana Forestry Commission and Guyana Geology and Mines Commission, which focus on child labor and human trafficking in the rural and hinterland regions. (1,7,15) Also serves as the coordinating body for efforts to combat the worst forms of child labor, and the management body for child labor referrals. In 2020, conducted human trafficking awareness training for labor inspectors, occupational safety and health officers, forestry officers from the Guyana Forestry Commission, and insurance investigators. (7) Further, launched its first trafficking in persons hotline in Spanish, planned and executed several sensitization and awareness sessions, hosted a digital symposium on human trafficking, and consulted with various stakeholders in preparation for drafting the National Plan of Action to Combat Human Trafficking for 2021–2023. (26)
National Tripartite Committee	Addresses national labor legislation and policy. Includes representatives from government agencies, labor unions, and employers, including MHSSS, Consultative Association of Guyanese Industries, Guyana Trades Union Congress, and the Federation of Independent Trade Unions of Guyana. (15,36,37) 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. Reported to be active in 2020, but did not finalize its new strategic plan. (7,38,39)

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Although the government has an Inter-Ministerial Task Force on Combating Trafficking in Persons, which also serves as the coordinating body for efforts to combat the worst forms of child labor, research was unable to identify what actions were taken to coordinate efforts to combat other 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 a lack of child labor elimination and prevention strategies 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 between existing national policies and ratified international conventions. Establishes a national framework to coordinate, enforce, monitor, and evaluate all efforts to combat child labor, and increases protections for vulnerable indigenous children in the hinterland. (7,40,41) In 2020, the government published its National Child Labor Policy and a corresponding national action plan, provided training workshops for Ministry of Labor staffers, and disseminated booklets, posters, advertisements, and social media posts to raise child labor awareness. (31)
Inter-Ministerial Task Force on Combating Trafficking in Persons Action Plan (2019–2020)	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 inter-agency coordination and referral mechanisms. (1,42) Establishes mechanisms to protect victims of all forms of human trafficking, prevent trafficking in persons, and prosecute human traffickers. Provides for the review and amendment of the Combating Trafficking in Persons Act. (2)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (43)

The National Education Policy does not include child labor elimination and prevention strategies. The Commission on the Rights of the Child began drafting a new strategic plan to replace the previous 5-Year Strategic Plan; however, research was unable to determine whether the new strategy includes child labor elimination and prevention strategies. (10,32,43)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (44) Research was unable to determine whether activities were undertaken to implement the Guyana Decent Work Country Program during the reporting period.
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. (10) Accommodates teenage girls under age 16 who are placed at the shelter at the request of the government's Childcare and Protection Agency. (10) Previously received \$50,000 annually from the government; however, funding was reduced during the reporting period. (1,7)
Government-Funded School Programs†	School Meals and Uniforms 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. (15) Active in 2020. (7) The Public Education and Transportation Service, previously known as the 5Bs Program, provides boats, buses, bicycles, books, and breakfast to school children to improve access to education. (1,7,13,17,34,45)
Child Advocacy Centers	Funded by private sector donations and UNICEF, and implemented by MHSSS and NGOs to provide services for abused children. (46) MHSSS' Childcare and Protection Agency oversees the centers and makes referrals. (46) During the reporting period, the government opened two new centers, with the total number of functioning Child Advocacy Centers covering over seven regions of Guyana. (7,47-49)

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

Program	Description
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. (10) Research was unable to determine whether activities were undertaken to implement the Board of Industrial Training during the reporting period.
Regional Initiative Latin America and the Caribbean Free of Child Labor	Initiated by an inter-governmental cooperation platform made up of 30 countries, with active participation of employers and workers organizations, which seeks to declare Latin America and the Caribbean as the first developing region free of child labor by 2025. In October 2020, Regional Initiative met to discuss the third phase of implementation for 2022–2025, to update its governance mechanisms, and to strengthen ownership and social dialogue. (50)

† Program is funded by the Government of Guyana.

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 the commercial sexual exploitation of children. (13)

## 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 sufficiently prohibits forced labor.	2019 – 2020
	Ensure that the law sufficiently prohibits all commercial sexual exploitation of children by prohibiting the use of children in pornography and prostitution.	2010 – 2020
	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 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Publish information on the labor inspectorate's funding and the number of child labor violations for which penalties were imposed and collected.	2015 – 2020
	Authorize the labor inspectorate to assess penalties.	2016 – 2020
	Ensure that the labor inspectorate receives sufficient resources to monitor the interior, where child labor is most prevalent, and in other remote areas.	2011 – 2020
	Ensure the appropriate application of Articles 41 and 46 of the Occupational Safety and Health Act to protect children from work that may harm their physical health or emotional development.	2015 – 2020
	Ensure that the Ministry of Human Services and Social Security's Trafficking in Persons Unit is sufficiently staffed to carry out its mandate.	2018 – 2020
	Dedicate more resources, including judicial personnel, to address the backlog of cases and ensure that cases are concluded in a timely manner, including cases related to the worst forms of child labor.	2010 – 2020
Coordination	Establish coordinating mechanisms to combat child labor, including all of its worst forms.	2014 – 2020
	Ensure that the National Tripartite Committee engages in regular meetings and coordination efforts.	2014 – 2020
Government Policies	Ensure that activities are undertaken to implement key policies.	2020
Social Programs	Ensure that children are not prevented from attending school because of transportation costs and lack of infrastructure, and increase the number of qualified teachers, particularly in rural and interior areas.	2015 – 2020
	Collect and publish data on the extent and nature of child labor, including in fishing and construction, to inform policies and programs.	2020
	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 the commercial sexual exploitation of children.	2010 – 2020
	Ensure that activities are undertaken to implement the Guyana Decent Work Country Program and the Board of Industrial Training.	2018 – 2020



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In 2020, Haiti made moderate advancement in efforts to eliminate the worst forms of child labor. The government adopted the National Social Protection and Promotion Policy that aims to build institutional resilience for social protection against economic shocks and health crises, including efforts to identify and remove children from work and provide vocational training for youth. It also established task forces to combat human trafficking in three provinces, and collected data from 83 organizations to develop an interactive map of service providers for victims of human trafficking in the West, North-East, and Central Plateau regions. However, children in Haiti are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children in Haiti also perform dangerous tasks in agriculture and domestic work. Minimum age protections for work apply only to children with a formal employment contract, which does not comply with international standards requiring all children to be protected. In addition, Haiti lacks a clear, easily applicable minimum age for domestic work and a list of hazardous occupations prohibited to children. Likewise, labor inspectors are not authorized to assess penalties 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 Haiti are subjected to 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 domestic work. (1-5) 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. 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, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-V), 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	Raising livestock (1,8)
	Capturing and processing fish (2,5,8,9)
Industry	Construction, including transport of construction materials such as sand and rocks (2,3,5,9)
	Producing metal crafts (10)
Services	Domestic work (4,11,12)
	Transporting and selling alcohol† and tobacco (2,8)
	Street work, including vending, begging, shining shoes, washing cars; and carrying water, firewood, goods, and luggage in public markets and bus stations (1-3,5,9,12)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, agriculture, street vending, and begging, each sometimes as a result of human trafficking (2-5,12-14)
	Use in illicit activities, including by criminal groups in drug trafficking (8,12,15)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,9,12,16,17)

† 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.

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. (5,9,18,19) Moreover, most of Haiti’s human trafficking cases involve children subjected to forced labor as domestic workers. These children commonly called *restavèk* are often physically abused, sexually exploited, and uncompensated for their services. (5,20) Traffickers use church, sport, or family networks to locate and traffic children from poor families and transport them to families that request their service as a form of indentured servitude. (20) Many of these children flee and end up living on the streets, where they face the risk of being trafficked again. (5) 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. (3,4,11,12,21)

In addition, Haiti has over 750 orphanages that house over 25,000 children who may be vulnerable to human trafficking and child labor in lieu of attending school. (19) Only 105 of the 750 orphanages in the country are licensed. (20) According to a study by the Institute of Social Welfare and Research (IBESR), an arm of the Ministry of Social Affairs and Labor (MAST), a majority of Haiti’s orphanages fail to comply with the government’s care standards. There is evidence that some children in orphanages engage in child labor for domestic work and are prevented from attending school. (12,19,22,23) Reports indicate that traffickers also target children in private and NGO-sponsored residential care centers. (5) In the past few years, the government has closed 160 unaccredited orphanages and is now focusing on promoting child fostering as an alternative to prevent child labor in residential institutions. (19,22,23)

According to some reports, children are often forced into commercial or transactional sex to fund basic needs such as school-related expenses. Impoverished children are often subjected to sexual exploitation and abuse. (24) Criminal gangs recruit children as young as age 10 and subject them to sexual exploitation and pornography. (24) Haitian children are victims of human trafficking not only internally, but also externally, primarily to the Dominican Republic, other Caribbean countries, South America, and the United States. (12,20,25) NGOs have reported that children illegally crossing the Haiti-Dominican Republic border are often accompanied by adults paid to pose as the children’s parents or guardians until they reach the Dominican Republic. (2,9,12,25,26) Some of these children are reunited with relatives in the Dominican Republic, while others are forced into commercial sexual exploitation, domestic work, agriculture, street vending, and begging. (2,9,16,27) In addition, Haiti is a destination country for child sex tourists, primarily from the United States and Canada. (20)

In 2020, the Government of the Dominican Republic continued to involuntarily repatriate individuals with irregular migration status to Haiti, pursuant to Dominican law. (28-31) Some of these repatriated individuals included children who now reside in Haiti at camps near the border with the Dominican Republic, where schools and other basic services are not available. Repatriated children may not speak French or Haitian Creole, the languages of instruction in public Haitian schools. (3,14,32,33) Whether they’ve been deported to Haiti or voluntarily returned, these children are vulnerable to the worst forms of child labor. (16,33)

The Haitian Constitution guarantees a right to free primary education, which is also compulsory under the law. (34,35) But because approximately 90 percent of all existing schools are private, most Haitian children are

enrolled in private schools that charge tuition and other fees, which make education prohibitively expensive to many families. (1,3) In addition, many children in Haiti are not registered at birth, and unregistered children are not able to access social services and educational programs provided by the government. (8) Children born in rural communities are less likely to be documented than children in urban areas. (24)




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. (1,3,14) In addition, the Ministry of Education recommends that a child be between ages 11 and 13 when transitioning to secondary school. Overage children must integrate into a special group that attends school during the evening. (34,36,37) However, research did not find evidence that schools provide instruction during the evening for special groups. (38) Research also indicates that less than 14 percent of children with disabilities attend school. (24)

In 2020, a majority of schools were closed for at least 115 days due to the COVID-19 pandemic and civil unrest. (12) As a result, an estimated four million children reportedly missed out on dozens of school days, a state of affairs that was especially pronounced in urban areas such as Port-au-Prince, Cap Haitien, and Les Cayes. (39) This was in addition to the 60 school days students lost in 2019 during the country's lockdowns following severe protests. Consequently, more than 70 percent of school children lost a complete school year. (39) Many children who were already vulnerable may never return to school as a result. (39)

## 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 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	16	Article 340 of the Labor Code; Article 10 of the Law Organizing and Regulating Labor (40,41)
Minimum Age for Hazardous Work	Yes	18	Articles 333–334 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) (40,42)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 333–336 of the Labor Code (40)
Prohibition of Forced Labor	No		Article 4 of the Labor Code; Article 2 of the Act of 2003 (40,42)
Prohibition of Child Trafficking	Yes		Article 2 of the Act of 2003; Article 1.1.1 of the Anti-Trafficking in Persons Law (42,43)



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

Standard	Meets International Standards	Age	Legislation
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 (37,42,43)
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 (42,44)
Minimum Age for Voluntary State Military Recruitment	No		
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 268 of the Constitution (34)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 70 of the Penal Code; Article 2 of the Act of 2003 (37,42)
Compulsory Education Age	No	15	Article 23 of the Decree on the Reorganization of the Haitian Education System (35)
Free Public Education	Yes		Articles 32.1 and 33 of the Constitution (34)

The Labor Code, which establishes the penalty for violations of the minimum age for work, 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. (1,38,40) Furthermore, as the minimum age for work is 16, children age 15 are vulnerable to exploitative child labor because they are not required to attend school but also are not yet legally permitted to work. (35,40)

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 the minimum age for domestic work at age 12. (1,38,40,42)

The Labor Code prohibits children under age 18 from working in establishments that sell alcohol and from working at night in industrial enterprises. (41,45) However, the types of hazardous work prohibited for children do not cover agriculture, an economic sector in which children are exposed to hazardous substances and agents and to temperatures that can damage their health. (2,15,44-47) In 2020, Haiti's National Tripartite Commission for the Elimination of the Worst Forms of Child Labor updated the draft hazardous work list to include agriculture and livestock, mines and quarries, construction, transportation, and domestic work, but the draft list remains unapproved by Parliament for the sixth consecutive year. Haiti's failure to hold legislative elections in 2019 caused the parliament to lapse in January 2020, and without a functioning parliament, the Haitian Government is not fully operational and is not able to pursue legal reforms. (12)

Laws related to forced labor are not sufficient, as forced labor is not criminally prohibited. The Anti-Trafficking in Persons Law criminalizes trafficking for forced labor, including recruitment, transportation, and accommodation for that purpose, but does not independently criminalize forced labor. (43) Research could not find evidence of any other legal provision criminally prohibiting forced labor.

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 that age, research could not find evidence of a law that establishes the age for voluntary recruitment. (8,34,48,49)

### 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 enforcement agencies 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 issuing employment permits to approve certain forms of minor labor for children between ages 15 and 18, receiving complaints, conducting investigations, and referring cases to juvenile courts. (12,41,50) Develops and implements programs to raise awareness of child labor and provide social services to child victims of labor exploitation. (4,9,50) Its agents at the Institute of Social Welfare and Research (IBESR) perform child protection inspections, which include following up on reported incidents of child labor, and are responsible for accrediting residential care centers. (51)
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. (4,12) Housed within the Haitian National Police, maintains 22 offices around the country, including 2 offices along the Haiti-Dominican Republic border. (12)
POLIFRONT	Enforces Haiti's Customs Code and investigates transnational crimes, including child trafficking. (12) Is also responsible for referring cases of vulnerable migrants, including minors, to IBESR. Serves as the Border Police Unit of the Haitian National Police. (12) Cooperates with the Dominican Republic Border Police. (52,53) Operates at the border crossings of Ouanaminthe and Anse-à-Pitres, and reportedly plans to establish a permanent presence in Malpasse and Belladère (the other two official border-crossing points) by 2021. (15,52,54,55)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Haiti took actions to combat child labor (Table 6). However, gaps in MAST's authority 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	2019	2020
Labor Inspectorate Funding	Unknown (8)	Unknown (12)
Number of Labor Inspectors	Unknown (8)	Unknown (12)
Inspectorate Authorized to Assess Penalties	No (40)	No (40)
Initial Training for New Labor Inspectors	N/A (8)	Unknown (12)
Training on New Laws Related to Child Labor	N/A	N/A (12)
Refresher Courses Provided	Yes (8)	Yes (12)
Number of Labor Inspections Conducted	Unknown (8)	Unknown (12)
Number Conducted at Worksite	Unknown (8)	Unknown (12)
Number of Child Labor Violations Found	Unknown (8)	Unknown (12)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (12)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (12)
Routine Inspections Conducted	Yes (8)	Unknown (12)
Routine Inspections Targeted	Yes (8)	Unknown (12)
Unannounced Inspections Permitted	Yes (40)	Yes (40)
Unannounced Inspections Conducted	Yes (8)	Unknown (12)
Complaint Mechanism Exists	Yes (8)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (12)

The government provided little information on its labor law enforcement efforts for inclusion in this report.

In 2020, in addition to operational challenges due to the pandemic, research indicates that the lack of sufficient resources, such as the means of transportation, fuel, and appropriately equipped workplaces, hampered MAST's enforcement efforts, including IBESR's capacity to enforce child labor laws by conducting an adequate number of labor inspections. (2,8,12,15,56) Furthermore, IBESR reported that it was unable to conduct a single child protection inspection in 2020, including following up on reported incidents of child labor, in part due to the negative impact the pandemic had on the government's ability to operate. (12)

IBESR inspectors received virtual training on handling cases of domestic child labor from the ILO in December 2020. Despite this, according to IBESR, inspectors received insufficient training on child labor issues

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overall. (12) While the number of labor inspectors in the country is unknown, according to the ILO's technical advice of a ration approaching 1 inspector for every 40,000 workers in less developed countries, Haiti would need to employ roughly 115 labor inspectors as its workforce consists of over 4.5 million workers. (57,58)

IBESR manages the "1-3-3" hotline that receives complaints about situations requiring child protection. (9,26,59) However, the hotline functions exclusively in Port-au-Prince, leaving rural areas without a mechanism to receive child labor complaints. (14) The number of calls related to child labor received during 2020 is unknown.

### **Criminal Law Enforcement**

In 2020, 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 financial and human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	N/A (12,51)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A(12)
Refresher Courses Provided	Yes (8)	Unknown (12)
Number of Investigations	744 (8)	585 (12)
Number of Violations Found	284 (8)	424 (12)
Number of Prosecutions Initiated	33 (8)	35 (12)
Number of Convictions	1 (8)	Unknown (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (8)	Unknown (51)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (12)

In 2020, the Brigade for the Protection of Minors (BPM) reported 424 cases of violations of laws related to the worst forms of child labor, including forced child labor, child trafficking, and the use of children in illicit activities. (12) BPM also reported it provided institutional assistance, as well as medical and psychological referrals to all these children. (12) Despite these efforts, reports indicate that BPM lacks an adequate number of agents and that its training, equipment, transportation, and funding are deficient, all of which has hampered the brigade's ability to enforce laws related to the worst forms of child labor. (2,9,12,26,54,60)

According to Haitian Border Police (POLIFRONT) reports, three cases of child trafficking were recorded in January 2020, and POLIFRONT referred 21 minors to IBESR between March and October 2020. (12)

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. (8,9,26) BPM also manages the "1-8-8" hotline, which receives notifications of alleged violations related to the worst forms of child labor. (8,61) However, in common with the IBESR "1-3-3" hotline, the "1-8-8" hotline functions exclusively in Port-au-Prince, which makes reporting cases involving the worst forms of child labor more difficult in rural areas. (9,19)

## **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 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. (62) During the reporting period, held a few meetings on the revision of the Labor Code and worked on the National Plan to Combat Child Labor. Also presented the draft list of hazardous work to MAST and delivered messaging on the occasion of the World Day Against Child Labor on June 12, 2020. (12)
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, other ministries, and BPM. (19,43,63) In 2020, established task forces and sub-committees to combat trafficking in persons in three provinces: South-East, North-East, and the Central Departments, with technical support from the USAID's Building Enduring Systems to Counter Trafficking in Persons (BEST) Program. (12) The sub-committees include provincial and other governmental representatives, police officers, investigating judges, and representatives of IBESR, BPM, and the Office of Citizen Protection, among others, and are charged with leading and coordinating counter trafficking in persons activities undertaken by civil society and local authorities. The sub-committees document and follow up on cases and coordinate prevention work in accordance with the Strategic Action Plan Against Trafficking in Persons in their respective regions. (12) During the reporting period, BEST helped the CNLTP implement its executive secretariat, as provided in the 2014 Counter Trafficking in Persons law, and supported CNLTP's data collection from 83 organizations to develop an interactive map of service providers for victims of human trafficking in the West, North-East, and Central Plateau regions. The CNLTP trained 119 people on investigative methods for human trafficking cases. Participants included prosecutors, journalists, immigration agents, Office of the Ombudsman representatives, and staff and students from the State University of Haiti. (12)
Child Protection Working Group	Implements, coordinates, and monitors efforts on child protection, including protection for child domestic workers. Chaired by IBESR, comprises international and national non-governmental stakeholders and officials from various ministries. (64) Holds multi-stakeholder meetings attended by IBESR, BPM, and MAST, with additional participation by and technical support from UNICEF and other child protection partners. (8) Continued to meet at the regional level in 2020, but rarely met in Port-au-Prince. (51) In the North-East department, established a quarantine center to facilitate interim care for children experiencing adversity during the pandemic. (51) By December 2020, nearly 100 children had been sheltered in this center and were receiving support. Center residents included unaccompanied children returning from the Dominican Republic, children leaving orphanages or <i>restavèk</i> situations, and street children, among others. (51)

## 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 Protection Policy (2016–2020)	Led by IBESR and supported by international donors, aimed to protect children from abuse, violence, and labor exploitation. Promoted improved access to education and livelihood services for vulnerable children, with a focus on domestic workers. (65,66) Research was unable to determine whether activities were undertaken to implement the National Child Protection Policy during the reporting period.
National Social Protection and Promotion Policy†	Initiated under a safety net program called <i>Kore Lavi</i> and funded by USAID. It was adopted by decree on June 12, 2020. Aims to build institutional resilience for social protection and promotion against economic shocks and health crises such as the current pandemic. (12,51) Consists of four major pillars, including both childhood social care and efforts to support employment and employability. Lines of effort under these two pillars include identification and removal of children from work and vocational training for youth, among other activities. (12) Under the <i>Kore Lavi</i> program, which built the foundations of an adaptive safety net, several institutions, including the World Bank and IDB, are supporting social protection initiatives in the country. (51) The World Bank is partnering with MAST and WFP to deliver cash transfers to targeted households. Participants are expected to receive \$29 per month over the program's implementation period of 6 years. WFP is expected to fully transfer management of the program to MAST after the third year of implementation. (12,51) In addition, IDB is partnering with WFP and the Economic and Social Assistance Fund to deliver food and cash to vulnerable households in several departments, including the departments of West, North, North-East, and Nippes. (51)

† Policy was approved during the reporting period.

# Haiti

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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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, such as orphanages and shelters, collects information on vulnerable children, and tracks them through the National Child Protection Database. (67) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Special Program of Free Education (PROSGATE)†	Replaced the National Free Education Program. (68) Aims to increase poor children's access to education. Includes school grants intended to eliminate school fees and for accelerated learning programs for students who are lagging in school. (69-71) In 2020, served as a funding source for the Ministry of Education to pay teachers with contracts. Research was unable to determine any of the program's other activities during the reporting period. (51)
UNICEF Country Program (2017–2021)	\$11.6 million UNICEF-funded program supporting the government's efforts to improve education, health, social inclusion, and protection for children in Haiti. (39,67,72-76) In 2020, provided technical support to the Ministry of Education to develop learning materials for home-based learning and catch-up activities, and guidelines for the safe operation of schools as a response to the pandemic. (39) In addition, collaborated with the daily newspaper <i>Le Nouvelliste</i> to support the distribution of a children's magazine to over 25,000 children, ages 5 to 15, so that they could continue learning informally while awaiting the reopening of schools. (39) During the reporting period, also provided technical assistance to the government to register births to expand access to education and social services. In addition, provided technical assistance to the Child Protection Working Group, and funding to implement foster family program coordination and youth vocational training. (51) Likewise, provided funding to support the renovation of government offices and to provision vehicles and other equipment to IBESR and MAST, among others. (51)
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. (77,78) In 2020, entered its second phase, which includes implementation of a quality assurance education program designed in collaboration with the Ministry of Education. (12) Among other activities undertaken during the reporting period, established approximately 60 to 70 schools, enabling an estimated 25,000 students to return to the classroom in August 2020, with the necessary materials to mitigate the risk of COVID-19. (12) The World Bank is working with the Ministry of Education to build an Education Information Management System. (12)

† Program is funded by the Government of Haiti.

Despite IBESR's efforts to collect information for the National Child Protection Database, the database does not fully capture all relevant information, including the number of displaced street children and children engaged in domestic work. Moreover, reports indicate the database is not operating and that no tangible progress has been made following its initial presentation in 2019. (51) 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. (9,12,79)

### 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age for work protections apply to all children, including those without formal employment contracts.	2014 – 2020
	Clarify the minimum age for work, including for domestic work.	2009 – 2020
	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 – 2020



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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law criminally prohibits forced labor.	2019 – 2020
	Ensure that the law establishes a minimum age for voluntary recruitment by the state military, at age 18 or at age 16, with safeguards for voluntariness.	2018 – 2020
	Raise the compulsory education age so that it aligns with the minimum age for work.	2017 – 2020
Enforcement	Collect and publish information on labor law enforcement efforts including on labor inspectorate funding; the number of labor inspectors and whether they received initial training; the number and type of labor inspections conducted; the number of violations found, total penalties imposed and collected; and whether routine, targeted, and unannounced inspections were carried out.	2013 – 2020
	Authorize the labor inspectorate to assess penalties.	2013 – 2020
	Ensure that the number of labor and criminal law enforcement agents, and the training and resources for labor and criminal law enforcement agencies, are sufficient to adequately enforce laws related to child labor, including its worst forms.	2013 – 2020
	Establish penalties that are sufficient to serve as a deterrent for employing children in contravention of the Labor Code.	2009 – 2020
	Expand the reach of the hotlines operated by the Brigade for the Protection of Minors and IBESR to facilitate reporting of child exploitation cases in areas beyond Port-au-Prince, including in rural areas, as well as track and publish information on the number of hotline calls related to child labor.	2013 – 2020
	Collect and publish complete information on the trainings provided to criminal investigators and data on the number of convictions and penalties imposed related to the worst forms of child labor.	2020
	Ensure that IBESR conducts child protection inspections, including following up on reported incidents of child labor.	2020
	Ensure the number of labor inspectors in Haiti meets the ILO's technical guidance.	2020
Government Policies	Ensure that policies to prevent or combat child labor are implemented.	2017 – 2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by removing school-related fees; increasing the number of public schools and teachers, especially in rural areas and camps near the border with the Dominican Republic; ensuring that public schools address language barriers; meeting the specific educational needs of vulnerable populations, including recent arrivals from the Dominican Republic, unregistered children, and child domestic workers; and ensuring that children who start their education late or repeat grades are allowed to transition to secondary school.	2009 – 2020
	Expand the National Child Protection Database, including by identifying displaced street children and children in domestic work.	2010 – 2020
	Expand existing social programs to address the scope of the child labor problem, particularly in domestic work, agriculture, and child trafficking.	2010 – 2020
	Ensure that all social programs are active and fulfilling their mandates as intended.	2019 – 2020

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In 2020, Honduras made moderate advancement in efforts to eliminate the worst forms of child labor. The government began implementing the new Child Labor Inspection Protocol, which established guidelines and procedures for inspectors to follow to ensure that inspections appropriately identify and address child labor violations. It also assisted non-governmental partners in the creation of a virtual training platform designed to train inspectors on the Child Labor Inspection Protocol. Furthermore, government agencies conducted multiple joint operations targeting child labor throughout the country. However, children in Honduras are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. They are also used to carry out illicit activities, including selling and trafficking drugs. Children also engage in child labor in the production of coffee and melons. Labor law enforcement agencies lacked financial and human resources, and the government did not adequately report comprehensive data related to its criminal law enforcement efforts. In addition, social programs that address child labor in agriculture have not addressed the problem nationwide, and the government lacks similar programs to eliminate child labor in other sectors, including fishing, mining, and domestic work.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Honduras are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. They are also used to carry out illicit activities, including selling and trafficking drugs. Children also engage in child labor in the production of coffee and melons. (1-5) Table 1 provides key indicators on children's work and education in Honduras.

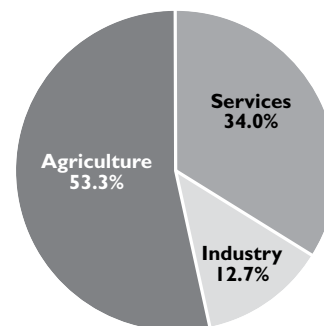
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	9.0 (168,348)
Attending School (%)	5 to 14	87.9
Combining Work and School (%)	7 to 14	6.2
Primary Completion Rate (%)		79.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares de Propósitos Múltiples (EPHPM), 2019. (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	Production of melon, coffee, corn, and okra (8-12)
	Harvesting mollusks† and shrimp (11)
	Fishing, including working as divers' assistants,† and diving for lobster† (2,5,13)
Industry	Production and sale of fireworks† (14-16)
	Artisanal mining† (5)
	Construction,† activities unknown (1,2,5,9,13,17)
Services	Washing car windows, begging, vending, and performing† on the streets for tips (1,13,14,18-20)
	Scavenging in garbage dumps† (19,21)

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

Sector/Industry	Activity
Services	Work in hotels, activities unknown (19)
	Domestic work† (9,17,19)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (5,13,17,22,23)
	Use in illicit activities, including by gangs in committing homicides, extortion, selling and trafficking drugs, and commercial sexual exploitation (1,4,5,13,17)
	Forced begging, street vending, and domestic service (5,17,24)
	Forced labor in fishing, mining, construction, and in the hospitality industry (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 Honduras are subjected to commercial sexual exploitation by family members and friends. (5,13,17) Children are also forced to work as street vendors and domestic servants. Gangs force children to commit extortion and murder, engage in prostitution, transport weapons, traffic drugs, and serve as lookouts. (5,13,17) In addition, Honduras is a destination country for child sex tourists from the United States and Canada. (5)

According to Honduras' National Institute of Statistics, 364,765 children between the ages of 5 and 17 were working in 2019, with 67 percent working in rural areas and more than half engaged in labor in agriculture. (13,17) Reports indicate that children from indigenous and African-descent groups are particularly vulnerable to child labor, including its worst forms. (1,22,25,26) Boys from the Miskito Afro-descendant community are vulnerable to forced labor in fishing, mining, construction, and hospitality industries. (5) Children who lack economic and educational opportunities are the most vulnerable to child labor and are among the most likely to migrate to other countries. Once en route, migrant children are vulnerable to human trafficking and commercial sexual exploitation. (22,23,27)

During the reporting period, barriers to education in the country increased due to the COVID-19 pandemic. This was the result of children's lack of access to the internet, cellphone coverage, or technical equipment required to attend virtual classes. (17) According to the Ministry of Education, of the 1.9 million children enrolled in the 2020 school year, 295,000 did not have access to virtual education. In addition, some reports indicate that a significant number of children left school in 2020, and of the ones who remained in school, 468,000 had disrupted or partial school schedules. (17) In 2020, the Secretariat of Labor and Social Security (STSS) held 7 virtual meetings for parents, adolescents, and teachers on the topic of child labor and the importance of ensuring that children remain in the education system, reaching 720 participants. (17)




In Honduras, access to education is often limited, especially for children living in rural areas, where there is a lack of funding for schools, and in many cases, a limited number of secondary schools. (1,28) Reports indicate that in some regions of the country, especially in Mosquitia, language barriers exist, because teachers do not speak local languages or dialects. (17,29) Furthermore, some families are unable to afford costs such as uniforms, school fees, and transportation. (13,17) Violence originating from gang activity also presents barriers to access for both children and educators. (1,13,17) Children from indigenous and African-descent groups face persistent difficulties in obtaining access to education.(29) These children face deteriorating conditions in the schools that serve their communities, such as shortcomings in terms of materials, personnel, and infrastructure. Reports also indicate that there is a particularly high dropout rate among children of indigenous and African descent. (29) Children with disabilities attend schools at a lower rate than the general population, and the National Center for Social Sector Information states that 43 percent of persons with disabilities received no formal education. (30)

## 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 (31-33)
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 (31,32,34)
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 (31,34)
Prohibition of Forced Labor	Yes		Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 221 and 222 of the Penal Code (31,35)
Prohibition of Child Trafficking	Yes		Articles 2 and 10 of the Executive Agreement STSS211-01; Article 8 of the Legislative Decree 35-2013; Articles 219 and 220 of the Penal Code (31,35,36)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 134 of the Code on Childhood and Adolescence; Articles 2 and 10 of the Executive Agreement STSS211-01; Articles 219, 220, 257 and 259–262 of the Penal Code (31,32,35)
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 (31,32,36,37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 12 of the Executive Agreement STSS211-01 (31)
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 (31)
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 (32,38)
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 (32,38,39)

\* No conscription (31)

The Honduran National Congress approved a new Penal Code in May 2019, which then entered into force in June 2020. The Penal Code explicitly criminalized slavery, setting penalties of 8 to 13.5 years in prison when the

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victim is under 18. However, the Penal Code lowered the penalties for the crime of trafficking in persons from 15 to 22.5 years in prison when the victim is under 18, to 5 to 8 years with the possibility of a 1/3 increase when the victim is specially vulnerable due to age. (17,35,40)

The minimum age for work is lower than the compulsory education age, which may encourage children 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

**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 of Social Welfare and the General Directorate of Labor Inspections. It was created by the Labor Inspection Law enacted in 2017 through Decree Num. 178-2016. (13,17,41,42)
Public Ministry	Carries out criminal prosecutions and directs the investigation of crimes in the country, including those related to the worst forms of child labor. (13,43) Through its Office of the Special Prosecutor for Children, prosecutes crimes with child victims, including crimes related to child trafficking, forced labor, and the commercial sexual exploitation of children. Also coordinates with the National Police to investigate crimes and protect victims. (13,43) Through its Technical Agency for Criminal Investigations, investigates and provides technical support for criminal prosecutions, including by the Office of the Special Prosecutor for Children, such as those related to human trafficking, commercial sexual exploitation, and child pornography. (13,14) Through its Unit Against Trafficking in Persons, Commercial Sexual Exploitation and Illicit Traffic in Persons, coordinates with domestic and international enforcement agencies to carry out anti-trafficking in persons operations and prosecutions. Also, manages a hotline to register trafficking in persons complaints. (24,44)
National Police	Investigates crimes related to the worst forms of child labor, through its Police Investigation Directorate. Also works with the Public Ministry and the Directorate of Childhood, Adolescence, and Family (DINAF), as well as other government entities on operations to remove children from child labor. (14,17)
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. It is overseen by the Social Cabinet, a cabinet-level government entity that coordinates 17 governmental institutions. (13,14,17,45-47)

### Labor Law Enforcement

In 2020, 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 a lack of human resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$3,100,000 (13)	\$3,200,000 (17)
Number of Labor Inspectors	154 (13)	185 (17)
Inspectorate Authorized to Assess Penalties	Yes (33)	Yes (33)
Initial Training for New Labor Inspectors	Yes (13)	Yes (17)
Training on New Laws Related to Child Labor	N/A (13)	Yes (17)
Refresher Courses Provided	Yes (13)	Yes (17)
Number of Labor Inspections Conducted	21,949 (13)	8,267 (17)
Number Conducted at Worksite	Unknown	7,318 (17)
Number of Child Labor Violations Found	Unknown	0 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (48)	N/A (17)
Number of Child Labor Penalties Imposed that Were Collected	0 (13)	N/A (17)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Yes (44)	Yes (17)
Routine Inspections Targeted	Yes (44)	Yes (17)
Unannounced Inspections Permitted	Yes (33)	Yes (33)
Unannounced Inspections Conducted	Yes (44)	Yes (17)
Complaint Mechanism Exists	Yes (13)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (17)

On March 16, 2020, the Government of Honduras declared a state of emergency due to the pandemic, which halted labor inspections during March and April. (17) In response to the pandemic, the government created an Inter-Institutional Commission to Verify Biosafety Protocols, led by STSS, to conduct biosafety labor inspections. These inspections also included checks to verify that companies were in compliance with child labor laws. (17)

During the reporting period, STSS conducted 8,267 labor inspections, including 2 related directly to child labor. STSS conducted inspections in businesses in the commercial service and agricultural sectors. (17) Although STSS did not uncover any violations of child labor laws in 2020 at the time of the inspections, the government confirmed there are children working in the agricultural sector. (17) 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. (1,13,17,28,49) STSS noted that the decrease in the number of inspections carried out this reporting period, when compared to the previous year, largely resulted from the pandemic and movement restrictions related to the state of emergency. (17) Reports indicate that STSS conducts most inspections in the urban areas of Tegucigalpa and San Pedro Sula, and rural areas and indigenous communities, in which hazardous activities in agriculture and fishing or diving are concentrated, have insufficient inspections to address the scope of the problem. (5,50) Inspectors do not conduct inspections in the informal sector unless there is a formal complaint, even though child labor is often encountered in this sector in Honduras. (17)

In December 2019, within the framework of the U.S.-Honduras Labor Rights Monitoring and Action Plan, the government approved a Child Labor Inspection Protocol, which STSS began implementing in January 2020. The protocol outlines guidelines and procedures for inspectors to follow to ensure that inspections appropriately uncover and address child labor violations. (17)

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. (1,17,28) Although the government had reportedly allocated nearly \$3.4 million to the General Directorate for Labor Inspections, it ultimately received only \$3.2 million due to budget cuts related to the pandemic and Hurricanes Eta and Iota. In 2020, inspectors did not have enough office facilities and transportation to carry out inspections. (17) Furthermore, reports indicate that the Directorate of Childhood, Adolescence, and Family (DINAF) lacks sufficient resources to adequately carry out its mandate. (14,28)

The number of labor inspectors is likely insufficient for the size of Honduras' workforce, which includes more than 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. (51,52) STSS also noted that the number of labor inspectors is insufficient, despite adding 31 inspectors in 2020. (17) During the reporting period, inspectors received training on new guidelines related to biosafety protocols. (17) In addition, World Vision supported STSS in creating a virtual learning platform to train inspectors on the Child Labor Inspection Protocol. However, although inspectors received training in 2020 on child labor issues, STSS indicated that more training is needed. (17)

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### **Criminal Law Enforcement**

In 2020, 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 the lack of publicly available enforcement information.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (17)
Refresher Courses Provided	Yes (44)	Unknown (17)
Number of Investigations	Unknown	35 (17)
Number of Violations Found	Unknown	Unknown (17)
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	Yes (44)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (13)	Yes (17)

In 2020, the Public Ministry's Special Prosecutor's Offices for Women and Children, along with the Unit of Trafficking, Commercial Sexual Exploitation, and Illicit Trafficking (UTESCTP), worked with the U.S. Department of Homeland Security through its Transnational Criminal Investigation Unit to investigate smuggling and trafficking organizations, child pornography, and child labor violations. (17) The Transnational Criminal Investigation Unit coordinated the transfer of minors encountered during the operations to DINAF. The UTESCTP also investigated 10 child trafficking cases and 25 child commercial sexual exploitation cases according to STSS reports. (17) The Public Ministry's Special Prosecutor's Office for Children, in coordination with DINAF, the Criminal Investigative Police, and the Technical Agency for Criminal Investigations, carried out operations in Tegucigalpa, San Pedro Sula, and La Ceiba to prevent forced begging, because there has been an increase in the number of children on the street as a result of the pandemic. The Prosecutor's Office in La Entrada, Nueva Arcadia, Copan carried out inspections of artisan fireworks factories to ensure that children were not employed in the factories. (17) During Operation Jupiter V, the Special Prosecutor's Office for Children carried out raids at three coffee plantations in El Paraiso Department. During the raids, officers identified children working with their parents to cut coffee. (17) The government indicated that the owner of the plantations did not hire the children. The Special Prosecutor's Office for Children issued warnings to the parents and reported the incident to STSS. (17) The total number of violations found, prosecutions, convictions, and penalties imposed related to the worst forms of child labor in 2020 were unknown because the government did not provide disaggregated data for inclusion in this report. It also did not provide information on refresher course training for criminal investigators. (17)

In 2020, the Public Ministry held virtual trainings from June to September for 115 investigators and prosecutors on addressing child labor, specifically related to the new Penal Code that went into force on June 25. UTESCTP held a virtual training in June for 152 investigators, prosecutors, and members of civil society about trafficking in persons, child commercial sexual exploitation, and child pornography. (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 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. (41,53,54) Oversees regional sub-commissions, led by STSS and DINAF officials, which implement national efforts at the local level. (41,53,54) During the reporting period, the Commission held one meeting, which focused on the pandemic. Meanwhile, the National Commission's Technical Council held four meetings to review actions taken by various sectors to combat child labor and discuss the effects of the COVID-19 pandemic and Hurricanes Eta and Iota on children in Honduras. (17) In 2020, through the Technical Council for the Gradual and Progressive Eradication of Child Labor, which is made up of state institutions, workers' unions, private enterprise, and civil society, STSS coordinated joint actions for the prevention of child labor. The Technical Council also carried out a virtual campaign on preventing child labor as part of its activities to raise awareness for the World Day against Child Labor. (17)
Inter-Institutional Commission Against Sexual, Commercial, and Trafficking Exploitation (CICESCT)	Works in the prevention and prosecution of crimes of sexual exploitation and trafficking in persons, as well as providing assistance to victims. Incorporates representatives from 35 organizations, including several government ministries, NGOs, and private companies. (55) Oversees 19 local CICESCT committees and implements the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking. (25) In 2020, CICESCT identified 43 child victims of labor and commercial sexual exploitation and coordinated with DINAF to provide them with food, health care, and psychological support. (17)
Migration Task Force	Convenes several government ministries to collaborate on addressing irregular migration, including combating the risks associated with trafficking in persons. Chaired by Honduras' First Lady Ana Garcia de Hernandez. (3) In September 2020, it organized a conference on the pandemic and its effects on migration. (47,56)
Secretariat of Social Development and Inclusion	Coordinates social protection policies and the provision of services to vulnerable populations. (57) Reports indicate it was active during 2020. (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 implementation.

**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 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. (58) Implemented by STSS. (14) World Vision and the National Commission for Gradual and Progressive Eradication of Child Labor continued to collaborate to develop a new country prevention strategy for 2021–2025. However, the strategy was not finalized during the reporting period due to the pandemic and subsequent state of emergency. (17)
Strategic Plan to Prevent and Eliminate Child Labor (2016–2020)	Developed a coordinated approach for the prevention and elimination of 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. (54) Implemented by STSS and other executive and judicial branch agencies, and employers', workers', and other civil society organizations. (54) During the reporting period, STSS provided training and technical support to the Caruchil Coffee Producers Cooperative, which was established as a pilot project of the plan. Through this project, the Social Welfare Directorate developed an investigative prevention model for the prevention of child labor in the coffee sector. (17) In 2020, the Strategic Plan to Prevent and Eliminate Child Labor ended. The government is planning to develop a new plan for the 2021–2025 period in cooperation with worker's organizations, private companies, and civil society. (17)
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. (59) During the reporting period CICESCT continued implementing the Strategic Plan to Combat Commercial Sexual Exploitation and Human Trafficking in Honduras by undertaking activities such as: identifying child victims of commercial and sexual exploitation, as well as coordinating with DINAF to provide them with support. (47)
Interinstitutional Strategy for Homeless Families and Children†	Defines coordinating actions to confront the problem of family and child homelessness, including child begging. Finalized in July and was developed partly in response to the pandemic and other factors contributing to increasing rates of homelessness. (17)
U.S.-Honduras Labor Rights Monitoring and Action Plan	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. (60) During the reporting period, USDOL and STSS continued activities and coordination under the plan. (17)

† 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. (61–65)



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In 2020, the Public Ministry signed an agreement with World Vision to strengthen the ministry's actions to eradicate child labor, forced labor, and trafficking in persons. (17)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 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 ( <i>Bono Vida Mejor</i> )†	Conditional cash transfer program that aims to reduce poverty by providing financial assistance to households after parents ensure that their children participate in health, education, nutrition, and other programs. (27,66)
Program to Combat Child Forced Begging†	DINAF program that identifies and rescues children who are subjected to forced begging and raises awareness of child forced begging through the media. (50,67)
Program for the Reintegration of Returned Unaccompanied Migrant Children†	Government program that assists unaccompanied migrant children who have been returned to Honduras. Funded by UNICEF and implemented by DINAF, in collaboration with the National Institute for Migration, the Ministry of Foreign Affairs, UNICEF, the Network of Institutions for Children's Rights, and the NGO Aldeas SOS. (17,68)
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 Honduras Tourism Institute. (69) Research was unable to determine whether activities were undertaken during the reporting period to implement the program.
USDOL-Funded Projects	USDOL projects that aim to eliminate child labor through direct services to Honduran youth, capacity building with the Honduran government, and technical assistance to businesses. These projects include: \$2 million <a href="#">Addressing Child Labor and Forced Labor in the Coffee Supply Chain in Honduras (2017–2022)</a> ; \$17 million <a href="#">Youth Pathways Central America (2015–2021)</a> ; and \$11.6 million <a href="#">Bright Futures (2014–2023)</a> . During the reporting period, Bright Futures worked with STSS to design and implement a digital learning platform, which launched in July 2020. (17) Also in July, the Bright Futures held a virtual training for coffee producers on labor biosafety, labor rights, and child labor. In addition, in September 2020, the project delivered training manuals to STSS personnel as a complement to the digital learning platform courses. (17) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (53)

According to reports, almost all of the social programs funded by the government and listed on Table 10 were operational in 2020. (47) Yet, research was unable to determine what specific activities were undertaken during the reporting period to implement most of them. In addition, although the Government of Honduras funds or participates in social programs to address child labor, research did not identify programs that specifically target children working in sectors, such as fishing, mining, and domestic work, or that address the illegal recruitment of children into gang-related activities. 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).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum working age of 14 to conform to the compulsory education age of 17.	2018 – 2020
Enforcement	Carry out labor inspections in areas in which child labor is prevalent, such as rural areas, the informal sector, and indigenous communities in which children engage in agriculture and fishing or diving.	2017 – 2020
	Ensure that labor enforcement agencies have sufficient funding and resources to carry out their mandates nationwide.	2010 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2020
	Ensure that all labor inspectors receive sufficient training on child labor issues.	2014 – 2020
	Publish complete criminal law enforcement information on efforts related to the worst forms of child labor, such as all training provided, total number of violations found, prosecutions initiated, number of convictions obtained, and penalties imposed for violations.	2015 – 2020
Social Programs	Increase access to education by increasing funding to schools, ensuring that teachers speak local languages or dialects, building more schools, particularly in rural areas, enhancing efforts to protect students from gang recruitment and violence, and removing barriers such as school fees and costs for uniforms and transportation.	2014 – 2020
	Ensure that social programs reach the children who are most vulnerable to child labor, including children of African descent and indigenous children.	2017 – 2020
	Ensure that social programs are adequately funded and implemented, and report on their yearly efforts.	2020
	Expand social programs that address child labor in agriculture and create programs to assist children engaged in child labor in fishing, mining, domestic service, and illicit gang activity.	2009 – 2020

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In 2020, India made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the national government disbursed \$13.5 million in funding to expand Anti-Human Trafficking Units from 332 districts to all 732 districts, and provided additional training and resources to existing units. In March 2020, the Government of Karnataka released comprehensive standard operating procedures on human trafficking in collaboration with civil society organizations. The standard operating procedures cover sex trafficking, child beggary, child labor, and bonded labor. In addition, the Occupational Safety, Health and Working Conditions Code, which included workplace safety standards for children ages 14–18, was passed in September 2020. However, children in India are subjected to the worst forms of child labor, including in garment production, stone quarrying, and brickmaking. Children also perform dangerous tasks in the production of thread and yarn. India also does not meet the international standard for the prohibition of military recruitment by non-state armed groups. Research has found that no illegal shelter homes were shut down during the reporting period. Research has also found that complicit government officials were not held accountable for helping to operate illegal shelter homes—no criminal cases were initiated against government officials in 2020. Hazardous work prohibitions do not include all occupations in which children work for long periods of time in unsafe and unhealthy environments, and penalties for employing children are insufficient to deter violations. The government also did not publicly release information on its labor law enforcement and criminal law enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in India are subjected to the worst forms of child labor, including in garment production, stone quarrying, and brickmaking. (1) Children also perform dangerous tasks in the production of thread and yarn. Table 1 provides key indicators on children’s work and education in India. (2)

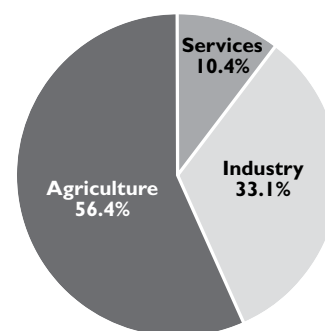
**Table 1. Statistics on Children’s Work and Education**

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 (%)		91.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization’s analysis of statistics from National Sample Survey Round 68 (NSS-R68), 2011–2012. (4)

**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 producing hybrid cottonseed and hybrid vegetable seeds, cultivating cotton and rice, harvesting sugarcane and tea, and performing peripheral work, such as removing weeds (5-11) Processing cashew nuts† and seafood (12, 13)

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**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> )† (2,10,14,15)
	Manufacturing glass bangles,† imitation jewelry, locks,† and brassware,† and polishing gems† (10,16-19)
	Rolling cigarettes ( <i>bidis</i> )† and manufacturing incense sticks ( <i>agarbatti</i> ), fireworks,† and matches† (10,20)
	Manufacturing footwear and bags, producing leather goods and/or accessories,† and stitching soccer balls (10,21-24)
	Producing bricks,† quarrying and breaking sandstone† and granite,† and mining and collecting mica† and coal† (10,11,25-35)
Services	Domestic work† (10,36-38)
	Working in hotels, food service, and tourism services (10,32,39-41)
	Street work, including scavenging, sorting garbage, selling trinkets, and organized begging (10,11,32,42,43)
	Working in automobile workshops (11,44)
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 (1,32)
	Forced labor in producing bricks, quarrying stones, and in rice mills (1,32,45-48)
	Forced labor in producing garments and carpets, spinning cotton thread and yarn, and embroidering silver and gold into textiles ( <i>zari</i> ) (1,14,32,49,50)
	Forced labor in producing bangles, imitation jewelry, leather goods, plastic goods, footwear, and bags (1,16,18,19,51-54)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (1,36,43,55-57)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,10,32,43)
	Recruitment of children by non-state armed groups for use in armed conflict (1,58)
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 (10,59-61)	

† 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. (1,43) Most labor trafficking is internal to the country; research found that the states of Bihar, Jharkhand, Chhattisgarh, and Odisha are major sources for child trafficking. (11) Children from India’s rural areas migrate to urban centers 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. (1,32,62) 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. (1,11,32,43) Children typically enter debt bondage along with their entire family, and trafficked children are employed in cotton farms, home-based embroidery businesses, roadside restaurants, and brick kilns. (11)

Research has found that the prevalence of child trafficking in India increased during the COVID-19 pandemic as the number of children in the labor market increased. Human traffickers chartered buses from the states of Andhra Pradesh, Rajasthan, and Karnataka to transport migrant labor, including children, from Bihar. (63) To avoid suspicion, traffickers often ask parents to accompany children to their destination. NGOs intercepted several operations, during which they found many children carrying false identification cards as proof of legal working age. (63) Media reported railway and transit police increased patrolling of transportation hubs to prevent and intercept perpetrators and victims of human trafficking, including children. (1) In Tamil Nadu, a major garment factory hub, 35 children were rescued from a spinning mill during the reporting period. (64) Research has also found that one child rights NGO reportedly rescued 1,675 children between April and November of 2020. (65)

Non-state armed groups reportedly force children to serve as spies, couriers, and soldiers in the states of Chhattisgarh and Jharkhand, and as soldiers in Jammu and Kashmir. (1,58) Maoist groups sometimes used children as human shields in confrontations with security forces. In addition, some female child soldiers reported that commanders of these non-state armed groups recruited and used them in part for sexual exploitation, including practices indicative of sexual slavery. (1)



Child victims of commercial sexual exploitation, forced labor, and child trafficking are more likely to be from marginalized groups, such as low-caste Hindus, members of tribal communities, and religious minorities. (1,32,43,66,67) Traffickers sometimes kidnap children from public places, such as railway stations, entice them with drugs, and force girls as young as age 5 in sex trafficking to take hormone injections to appear older. During the reporting period, officials acknowledged some registered and unregistered spas exploited girls in sex trafficking, and that officials lacked sufficient oversight of all such establishments. (1) Apprehending child traffickers has become more challenging for law enforcement because traffickers are utilizing technology to reach customers and to receive electronic payment, eliminating the need to be centrally located in brothels. (1,43,63) Research found that girls, some as young as age 14, are trafficked from the states of Jharkhand and Chhattisgarh for commercial sexual exploitation. Most of the trafficked girls belong to tribal or lower caste communities. (11)

Despite the enactment by Parliament in 2009 of a Right to Education Act that provides free and compulsory education for children below the age of 14, there are several barriers to educational access in India. Budgetary constraints contribute to the lack of schools, well-trained teachers, separate and sanitary washrooms for girls, adequate infrastructure, and transportation options, creating barriers and limiting access to education, particularly in overcrowded urban slums, or *bastis*. (11) Furthermore, children from marginalized groups face additional barriers to accessing education. (11) Teachers sometimes subject these children to discrimination and harassment. (68) Research has found that lower caste children in some schools in Madhya Pradesh and Uttar Pradesh are reportedly segregated in classrooms. (11) In addition, refugees who are not granted visas or provided identity cards by the UNHCR often are not able to access education services. (11,32) However, children up to the age of 14, rescued from child labor, have the ability to attend school, including the option to take vocational trainings. (43)




Due to the pandemic, most schools in the country remained closed from March 2020 to December 2020. During this period, classes were held online. (11) Research found that children from economically disadvantaged families and children in some rural areas were unable to attend classes due to lack of Internet connectivity or lack of accessible devices. The government attempted to address this issue by distributing devices and using community radio stations and government-owned television and radio stations to broadcast classes. (11) However, research indicates an increase in child labor and child trafficking in India during the reporting period due to economic contractions related to the pandemic, with children dropping out of school to work in hazardous occupations. (69,70)

The Government of India does not collect or publish data specifically on exploitative child labor, nor does it make available the raw data from the national census. (11,32)

## 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	✓

# India

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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 Labour (Prohibition and Regulation) Act (71)
Minimum Age for Hazardous Work	Yes	18	Section 3A of the Child and Adolescent Labour (Prohibition and Regulation) Act (71)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Schedule to the Child and Adolescent Labour (Prohibition and Regulation) Act; The Occupational Safety, Health and Working Conditions Code (72,73)
Prohibition of Forced Labor	Yes		Section 4 of the Bonded Labour System (Abolition) Act; Sections 370 and 374 of the Penal Code; Section 79 of the Juvenile Justice (Care and Protection of Children) Act (74-76)
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 (75,77)
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 Offences Act; Section 67B of the Information Technology Act (75,77-79)
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 (76,80)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Military Rules (81)
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 (82)
Free Public Education	Yes		Section 3 of the Right of Children to Free and Compulsory Education Act (82)

\* No conscription (83)

The Occupational Safety, Health and Working Conditions Code was passed in September 2020, and states that the central government will declare standards on a list of matters, including the prohibition of employment of children near cotton openers and the employment of children ages 14 to 18 on dangerous machines. The code also stipulates that children ages 14 to 18 are entitled to 1 day of leave for every 15 days of work. (73) In addition, the code would allow state governments to prescribe special safeguards for employment for children ages 14 to 18 when handling hazardous chemicals. (73) The code, however, has not yet come into force. (84)

The Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, which was drafted in 2018, seeks to criminalize and enhance penalties for aggravated forms of trafficking, including trafficking for the purposes of forced labor, bonded labor, and begging. (85) The bill was brought to Parliament in 2018 after consultations with civil society organizations and survivors, but lapsed when the current government's first term ended. A revised version was due to be considered by ministers in early 2020 but has not come up for a vote in Parliament. (63) During the reporting period, the bill went through an iterative internal review process among different government ministries. (86)

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. (71,82) Despite evidence that children work for long

periods in unsafe and unhealthy environments in spinning mills, garment production, and carpet making, children ages 14 to 18 are not prohibited from working in occupations related to these sectors. (10,72,87-89) In addition, while sources report that the minimum age for voluntary recruitment into India's Armed Forces is age 16 and that individuals must be age 18 to be deployed, research could not pinpoint where this criteria resides in Indian law or regulation. (90,91)

### 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 enforcement agencies 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. (92) Refer children to Child Welfare Committees for protection and rehabilitation services. (76)
State and Local Police	Enforce laws pertaining to child labor and human trafficking. (90) Submit information to District Magistrates to determine whether a case should be prosecuted in District Court. (11) Refer children to Child Welfare Committees for protection and rehabilitation services. (1,76) The Criminal Investigation Department (CID) (also referred to as "Crime Branch") is a unit of the police force in each state. There are 36 CIDs across India. (81)
Ministry of Home Affairs – Anti-Trafficking Operations Division – State and District-Level Anti-Human Trafficking Units (AHTUs)	Report to district police chiefs. (43) Investigate cases of domestic and international human trafficking. (1,43,90) Established in approximately 350 local police jurisdictions throughout India, but many AHTUs lack sufficient funding, human resources, and infrastructure—including vehicles and computers—needed to adequately perform their work. (1,43,81) During the reporting period, the national government disbursed \$13.5 million in funding to expand AHTUs from 332 districts to all 732 districts and provided additional training and resources to existing AHTUs. (1,63)
Central Bureau of Investigation – 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. (1,93) Manages the 24-hour Helpline No. 011 for reporting cases of "Illegal Human Trafficking Especially Trafficking of Children & Women." (43,94)
National Investigation Agency	Investigates terror-related cases. (32) Mandate was expanded by the central government in 2019 to investigate and prosecute trafficking in persons cases that have multiple state or international ramifications. (32,43,81,95)

During the reporting period, the Ministry of Railways, in coordination with the Ministry of Home Affairs (MHA), maintained 84 child help desks at stations to support unaccompanied children who were vulnerable to traffickers. (1,84)

In October 2020, in Hyderabad, the National Investigation Agency (NIA) filed charges against 12 persons, including 9 Bangladeshi nationals. In addition, the NIA took over a human trafficking case in Jharkland in June 2020 and charged four people for this crime in February 2021. (84)

The enforcement of labor laws is overseen by the state governments' labor ministries, while criminal law enforcement is overseen by the state police. Labor law enforcement officers typically coordinate with the state police on cases through the Office of the District Magistrate. (32) However, law enforcement authorities do not have procedures to screen for trafficking victims, and research found that authorities have arrested, fined, penalized, and deported some child trafficking victims for crimes their traffickers compelled them to commit. (1)

Research has found that when some states sought approval from the Government of India to suspend labor laws to mitigate the economic downturn caused by the pandemic, the Government of India mandated that child and bonded labor laws continue to be actively enforced. Officials issued advisories to states to closely monitor human trafficking and to ensure that the pandemic did not result in the expansion of trafficking in persons. (11) In July 2020, India's MHA issued an advisory that urged state governments to launch anti-trafficking awareness campaigns. (96)

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### Labor Law Enforcement

In 2020, 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 enforcement of their child labor laws, including training for labor inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (32)	Unknown (11)
Number of Labor Inspectors	Unknown (32)	Unknown (11)
Inspectorate Authorized to Assess Penalties	Yes (32)	Yes (73)
Initial Training for New Labor Inspectors	Yes (32)	Yes (11)
Training on New Laws Related to Child Labor	Yes (32)	Yes (11)
Refresher Courses Provided	Yes (32)	Yes (11)
Number of Labor Inspections Conducted	Unknown (32)	Unknown (11)
Number Conducted at Worksite	Unknown (32)	Unknown (11)
Number of Child Labor Violations Found	Unknown (32)	Unknown (11)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (32)	Unknown (11)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (32)	Unknown (11)
Routine Inspections Conducted	Yes (32)	Unknown (11)
Routine Inspections Targeted	Yes (97)	Yes (11)
Unannounced Inspections Permitted	Yes (32)	Yes (73)
Unannounced Inspections Conducted	Yes (32)	Yes (11)
Complaint Mechanism Exists	Yes (32)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (32)	Yes (11)

While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, India would need to employ roughly 34,793 labor inspectors as its workforce consists of over 521.9 million workers. (98,99) While the government does not release disaggregated data on the specific budget for inspections, research has found that inspectors may have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections. (11) However, the ILO and NGOs report that training for labor inspectors is inadequate, that the number of labor inspections carried out is insufficient given the size and population of the country, and that the response time to complaints is too long. (11,32,81,100) NGOs commended the state governments of Rajasthan, Gujarat, and Tamil Nadu for proactive inspections, but, again, noted that the response time is too long. In addition, labor rights groups and trade unions claim that inspections are often conducted ineffectively. (11) Labor inspectors receive training on laws relating to child labor. However, data on the number of inspectors who received training are not available. (11) Most training programs were conducted virtually during the reporting period due to the pandemic. However, research has found that the trainings are inadequate. (11)

The Constitution of India gives state governments primary responsibility for the enforcement of labor laws. (92) Although the central government seeks to collect data on national and state actions to address child labor violations, the Government of India did not provide information on the number of violations for which financial or other penalties were imposed and collected. (11) Penalties available under the law include imprisonment for a minimum of 6 months up to 2 years and fines ranging from \$300 to \$700. (32,101,102) However, current laws and enforcement are insufficient to deter employers from hiring children because imprisonment is rare and maximum fines are infrequently levied. (11,71) While the Child Labor Act and the rules framed under this act empower labor inspectors to assess penalties and monetary fines for child labor law violations, research has found that penalties assessed do not deter child labor law violations, even though there are no barriers to assessing penalties. (11)

State government labor inspectors plan and conduct labor inspections, which are generally targeted at specific sectors or geographical areas known to involve child labor. Although labor inspectors are permitted to conduct unannounced inspections in all formal and informal workplaces, due to social and cultural barriers, inspections of private homes and farms are done only on receipt of a complaint. (32)

During the reporting period, Tamil Nadu became the first state to report requesting funding to conduct its first survey since 1996, which will cover the 11 most vulnerable districts and feed into a database on bonded labor efforts. In addition, Telangana state began a 3-year project to map its cotton farms and spinning mills to monitor ethical labor practices; traffickers use forced labor in these sectors. (1)

### **Criminal Law Enforcement**

In 2020, 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 enforcement of their child labor laws, including the lack of data on state government 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	2019	2020
Initial Training for New Criminal Investigators	Yes (81)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (81)	N/A (11)
Refresher Courses Provided	Yes (32)	Unknown (11)
Number of Investigations	Unknown (32)	Unknown (11)
Number of Violations Found	Unknown (32)	Unknown (11)
Number of Prosecutions Initiated	Unknown (32)	Unknown (11)
Number of Convictions	Unknown (32)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (81)	Yes (84)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (32)	Yes (84)

During the reporting period, authorities in some states acted to identify child bonded labor victims, but penalties assessed were insufficient to deter violations and criminal prosecutions were also rarely initiated. (1,11,81) Due to the lack of law enforcement efforts, a lack of proactive victim identification, a widespread tendency to handle bonded labor cases administratively in lieu of criminal prosecution, and stalled bonded labor prosecutions, the ability of authorities to recognize full compensation for victims remained extremely difficult. Furthermore, an NGO working in 10 states reported its observations that employers trapped more than 60 percent of released victims it rescued back in bonded labor again. (1) Research has also noted that police did not always arrest suspects or file First Information Reports (FIRs) to officially register a complaint, including in at least half the bonded labor cases nationally. Rather, officials settled many other cases at the complaint stage, or registered bonded labor cases as minimum wage violations. (1) In addition, 17 of India's 36 states and territories reported not identifying any bonded labor victims or filing any cases under the Bonded Labor System (Abolition) Act in either 2017 or 2018, despite NGO and media reports of bonded labor victims identified in some of those states. (1)

In September 2020, the National Crime Records Bureau released its annual report detailing criminal cases from the prior year that involved the worst forms of child labor. (63,103) The report shows that human trafficking trends remained similar to 2018—there were 2,260 cases of trafficking in 2019, and 2,278 cases in 2018. In addition, over 2,914 victims of trafficking in 2019 were under the age of 18. (63,103) While state governments have primary responsibility for criminal law enforcement, access to trainings varies from state to state and research has found that training opportunities on the laws related to the worst forms of child labor are limited and inadequate. (11,32,101,104) Cases on the trafficking of minors for the purposes of commercial sexual exploitation are heard in Protection of Children From Sexual Offences (POCSO) Act Courts. As of December 31, 2019, there were 664 POCSO courts and 240,000 pending cases. (43,104) To deal with pending



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cases, India has proposed setting up 389 fast-track special courts (FTSCs) dedicated to POCSO cases. (105) However, research has found that as of September 2020, only 321 POCSO FTSCs have been set up. (106) State authorities also have reported that judges and prosecutors at POCSO courts do not have training or expertise in POCSO crimes. To combat this, the Madhya Pradesh police academy signed a Memorandum of Understanding with an NGO that allowed for 1,900 police, prosecutors, and judicial officers to be trained on human trafficking. (1) In addition, four states have implemented child-friendly courtrooms or procedures, including some that allowed victims to testify via video conference, which improved victim participation in cases, thus, helping to prevent re-traumatization of child victims. However, inadequate implementation of victim protection measures and legal assistance enshrined in law, including witness protection, led victims to refuse to participate in trials. (1)

During the reporting year, the newly expanded Anti-Human Trafficking Units (AHTUs) increased their efforts in combating human trafficking. In June 2020, the AHTU of West Bengal's Murshidabad district rescued eight girls from two hotels. From this rescue, three of the girls were from Bangladesh. (63) In this case, seven people were charged with rape and human trafficking and were denied bail, under POCSO. A human trafficking ring was intercepted by police in Uttarakhand in July 2020, with three people arrested and the victim put into a rehabilitation service operated by an NGO. (63) In December 2020, police arrested a teacher for kidnapping a 16-year-old girl with intention of continuing to sexually exploit kidnapped girls and sell them in Delhi or Himachal Pradesh. In addition, charges were amended during the reporting year in an April 2019 human trafficking case that involved six Bangladeshi girl victims and three traffickers. (63)

Anti-human trafficking and anti-forced labor operations involved the support of NGOs and international agencies during the reporting year. In Andhra Pradesh, 17 children were rescued from brick kilns with the assistance of UNICEF. (63) A tip from the 24-hour toll-free emergency telephone service for children in distress, Childline, also led to the rescue of 77 children who were involved in agricultural labor, with 39 of them below the age of 14. (63)

Arrests were also made in the reporting year regarding bonded labor. An AHTU in Gujarat raided two facilities that were used for sari-finishing production, which led to the rescue of 37 children and charges filed against 8 individuals. (63) The AHTUs in Jaipur rescued 900 children from bangle manufacturing factories that included 25 children in bonded labor. The children experienced physical violence and most of them were trafficked from Bihar to Rajasthan. (63) In June 2020, police rescued 403 people, of which 97 were children, from brick kilns in Tamil Nadu and charged three brick kiln owners under the Bonded Labor System Abolition Act. Also in Tamil Nadu, local government officials and police rescued 173 children (a majority of them girls) from a private spinning mill. (63) The ages of the victims ranged from 13 to 18 years and they worked without days off for 14 hour shifts. However, instead of filing charges under the Child Labor (Abolition and Regulation) Act or the Bonded Labor System (Abolition) Act, the police filed the case under less serious criminal charges. (63)

The Government of the National Capital Territory of Delhi has issued a standard operating procedure (SOP) for the immediate release of financial assistance to adults and children rescued from bonded labor. However, some other 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. (1,43,97,107-109) Furthermore, research has found that politically connected individuals across multiple states successfully avoided prosecution, including local and state politicians who held workers in bonded labor in agriculture and on brick kilns. (1) There were credible allegations during the reporting period of government officials and police officers accepting bribes from traffickers in return for protection from prosecution, and of police refusing to register FIRs against accused officials. Tamil Nadu state authorities, for example, acknowledged that some local politicians benefited with impunity from child sex trafficking and forced begging rings. (1,43,81)

Out of approximately 9,000 government-run, government-funded shelters for vulnerable individuals, including children, roughly 1,300 were not officially registered with the government. During the reporting period, lax law enforcement and a lack of safeguards encouraged an atmosphere of impunity in several group homes and

orphanages. (110) Despite allegations of abuse, in several instances some shelters continued operating due to political connections. (1,110) As of March 2019, police had documented at least 156 children, including victims of commercial sexual exploitation, missing from 6 shelters across the country. (104,110) At least one shelter owner reportedly sold women and girls for purposes of commercial sexual exploitation. (110) A notable conviction during the reporting year is with the Muzaffarpur shelter home, in which Brajesh Thakur, shelter owner and former legislator, was convicted in January along with 18 other individuals of abuses under the POCSO Act and Juvenile Justice Act for victimizing 44 girls between the ages of 7 and 17 for the purposes of commercial sexual exploitation. Of the 19 individuals, 12 of them were sentenced to life in prison, including Thakur, a former chairperson of the Child Welfare Committee, a member of the Child Welfare Committee, and a District Child Protection Officer. (43,81,111,112) However, research found that that no illegal shelter homes were shut down during the reporting period. Research also found that complicit government officials were not held accountable for helping to operate illegal shelter homes; no criminal cases were initiated against government officials in 2020. (1,86)

#### 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 (CLA)	Coordinates the oversight mechanism to ensure the effective implementation of the Child and Adolescent Labor (Prohibition and Regulation) Act. Led by the Ministry of Labor and Employment (MOLE) and consists of 12 officials from the federal and state governments. (113) Met twice during the reporting period. Instructed states to closely monitor child labor issues and ensure continued enforcement of the CLA, especially in the wake of pandemic-related economic distress. (11)
Central Advisory Board on Child and Adolescent Labor	Convenes board members to review the implementation of existing legislation and programs related to child labor and proposes new welfare measures for child labor. Chaired by MOLE and consists of 45 board members, including government officials and NGO representatives. (114) Met once during the reporting period. (11)
National Commission for the Protection of Child Rights (NCPCR)	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. (115) State Commissions for Protection of Child Rights have also been established in all 29 states and in 6 territories, including Delhi. (116) During the reporting period, the Commission continued to be proactive on child rights issues. (11) In May 2020, NCPCR issued recommendations to combat child trafficking following the pandemic lockdown, focusing on efforts to combat trafficking at source, transit, and destination hotspots across India. (63)
National Human Rights Commission (NHRC)	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. (117) During the reporting period, implemented its standard operating procedures for identifying and responding to bonded labor cases. (1) In 2020, also issued an advisory to all states on combating human trafficking. (11) In December 2020, NHRC issued an advisory on combating human trafficking in the context of the pandemic. NHRC recommended a 24/7 helpline for real-time reporting, tracking, and monitoring of trafficking in persons cases. (63) It called for the installation of surveillance mechanisms at transit points to track children moving with suspicious persons or without adult supervision. In addition, the NHRC advised that testimonies of rescued victims should be collected via video conferencing in courts, especially when victims are repatriated or released from protective homes. (63)
Platform for Effective Enforcement for No Child Labor 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 National Child Labor Project (NCLP) Scheme. (118) Allows citizens to lodge child labor complaints. (32) Rescued child laborers are put through a rehabilitation program that includes formal education and vocational skills training. Those eligible are mainstreamed into formal education. (81) Special Training Centers (STCs) are located across the country and provide a stipend to children, free meals, vocational training, and bridge education for eligible children. Length of stay ranges from 6 to 18 months. (81) Since the online platform was launched in 2017, 191,264 child laborers have been identified and 97,664 children removed from child labor and rehabilitated through STCs. Currently, 59,269 children are enrolled in STCs. (11)

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### 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. (119) Implemented through programs operated by MOLE and the Ministry of Women and Child Development (MWCD), including the NCLP Scheme, Grants in Aid, the Integrated Child Development Scheme, the National Children's Fund, and the National Creche Scheme. (32,81,120,121) From April 1, 2019, to February 1, 2020, 46,198 children were removed from child labor and rehabilitated through the NCLP Scheme, established under the National Policy on Child Labor. (11)
National Plan of Action for Children	Identifies priority actions for achieving the objectives set out in the National Policy for Children (NPC). (32,122,123) 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 strengthen institutional mechanisms to address the worst forms of child labor to meet the NPC objective that all children are protected from exploitation. (122,123) Research was unable to determine whether activities were undertaken to implement the national action plan during the reporting period.
State Action Plans on Child Labor	Details state governments' activities and programs to eliminate child labor. Child labor action plans are in place in only 11 states: Andhra Pradesh, Bihar, Delhi, Gujarat, Jharkhand, Karnataka, Meghalaya, Orissa, Punjab, Tamil Nadu, and Uttar Pradesh. (92,97,124-131) Research was unable to determine whether activities were undertaken to implement state action plans during the reporting period.

The Government of the National Capital Territory of Delhi's "Policy on Rehabilitation and Combating Trafficking of Women and Children," which would establish a rehabilitation fund for women and children who were trafficked for commercial sexual exploitation and establish state- and district-level coordination committees to undertake prevention and rehabilitation activities, remains pending in draft form. (97,132-134)

Research has also found that in March 2020, the Government of Karnataka released a comprehensive SOP on human trafficking in collaboration with civil society organizations. The SOP covers sex trafficking, child begging, child labor, and bonded labor. (63) The state government is also planning two separate SOPs by March 2021 on bonded labor and engaging the Railway Protection Force in the rescue of children from railway stations. (63) The state of Tamil Nadu and the Union Territory of Delhi have SOPs dedicated to eradicating bonded labor. (84)

The government does not have a national action plan to combat trafficking in persons. (1)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (10, 120) Sets up and administers NCLP schools, mainstreams children into formal education, and provides them with stipends, meals, and health checkups. (120) Comprises approximately 3,000 NCLP STCs that accommodate approximately 120,000 children. (120) From April 1, 2019 to February 1, 2020, the NCLP Scheme removed 46,198 children from child labor across 21 states. (11)
Ministry of Women and Child Development (MWCD) Programs - Integrated Child Protection Scheme†, Childline†, TrackChild and Khoya-Paya†	<p>Integrated Child Protection Scheme 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 and non-institutional care in foster homes and with adoptive families. (1,32,43,121) Provides rehabilitation and reintegration services to rescued children. (121) 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. (121)</p> <p>Childline is a 24-hour toll-free emergency telephone service for children in distress. (1,43,87,121,135) 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; 60–70 percent of received calls result in the rescue of a child. (43,81,121,135) Research has found that the Childline hotline was operational during the reporting period. (11)</p> <p>TrackChild is an 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. (1,32,121,136) TrackChild's Khoya-Paya (Lost and Found) website allows parents and the public to report and search for missing children. (32) Research has found that the Track Child online portal was operational during the reporting period. (11)</p>
Central Sector Scheme for Rehabilitation of Bonded Laborers†	MOLE program that rescues and rehabilitates adult and child bonded laborers. (32,120) Provides rescued bonded laborers with financial assistance and social protection services. (120) Supports funding of surveys at the district level on the prevalence of bonded labor and the rehabilitation of bonded laborers identified through the surveys. (137) Research found that the MOLE program was operational during the reporting period. (11)
Anti-Human Trafficking Activities†	MWCD-operated anti-human trafficking activities, in collaboration with NGOs and state governments. (138) Supports projects to help reintegrate, rehabilitate, and repatriate human trafficking victims, including children, through the <i>Ujjawala</i> and <i>Swadhar Greh</i> schemes. (138) <i>Ujjawala</i> is a comprehensive scheme launched in 2007. Combats trafficking in persons of women and children, including for commercial sexual exploitation. (1,138) Operates 134 shelters. (1) In addition, facilitates the rescue of victims, places them in safe custody, provides rehabilitation services, facilitates reintegration of victims, and facilitates repatriation of foreign victims. (138) The <i>Swadhar Greh</i> scheme provides temporary residential accommodations and services, including vocational training, legal aid, and rehabilitative counseling services to women and girls rescued from human trafficking, including commercial sexual exploitation. (43,138) Operates 413 shelters. The central government allocated \$2.03 million in the first 5 months of 2019–2020, a decrease from \$3.18 million allocated to the program in the first 5 months of 2018–2019. (1)
Work in Freedom Project II (2018-2023)	Partnership program developed between UK's Foreign, Commonwealth & Development Office and ILO on Fair Recruitment and Decent Work for Women Migrant Workers in South Asia and the Middle East. Aims to reduce vulnerability to trafficking and forced labor of women and girls across migration pathways leading to the care sector and textiles, clothing, leather and footwear industries. Addresses key drivers and vulnerabilities of human trafficking, such as gender and other forms of discrimination, distress migration, and poor working and living conditions, through an integrated prevention strategy of targeted social protection and empowerment; fair recruitment practices; and evidence-based policy advocacy for decent work options. (141) For more information, see the ILO website.
Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor	USDOL-funded project (\$500,000) 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. (139) In India, the project works in the states of Bihar, Chhattisgarh, and Uttar Pradesh to promote coordination of programs for child laborers and their families, build capacity of state and local governments to address child labor, and build the knowledge base on child labor. During the reporting period, the project held consultations with relevant stakeholders in these states aimed at developing a comprehensive benefit package for child laborers and their families. (140) For additional information, please see the USDOL <a href="#">website</a> . Please also see the ILO website.

† Program is funded by the Government of India.

Similar to government-run, government-funded shelter homes, both *Ujjawala* and *Swadhar Greh* homes have high rates of non-registration. Due to a reported loophole in the law, if the government did not act on a home's

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application in a prescribed timeframe, the organization applying would automatically gain licensure. (1) Research indicates that some corrupt officials purposely missed the licensing deadline to allow inadequate but politically connected organizations to gain licensing. Furthermore, in the states that allowed audits of *Ujjawala* and *Swadhar Greh* homes, the audits documented that many homes violated minimum hygiene and safety standards, did not provide psychosocial support or educational opportunities, and operated without proper registration. (1) Moreover, in some instances the homes functioned as hostels and charged non-victim residents for accommodation. Due to unsafe conditions coupled with alleged abuse by caretakers, authorities reported multiple instances in which children ran away. (1)

During the reporting period, the Government of India also reportedly pledged to spend \$477,447,600 (35 billion rupees) in aid for migrant workers, but research found that migrant workers fear that their lack of documentation and bank accounts preclude them from receiving government aid, with many having turned to loan sharks, increasing the risk of vulnerability to debt bondage, child labor, and human trafficking. (69,96)

## 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 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 – 2020
	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 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Publish the legal instrument that establishes the minimum age for voluntary recruitment into India's armed forces.	2018 – 2020
Enforcement	Ensure that there are no gaps in criminal law enforcement efforts regarding children from marginalized communities who are trafficked into commercial sexual exploitation, and ensure that procedures are in place to properly screen human trafficking victims to avoid prosecuting them for crimes that their traffickers compelled them to commit.	2020
	Ensure that Anti-Human Trafficking Units have sufficient funding and human resources to adequately perform their work.	2019 – 2020
	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 and type of inspections conducted, the number of child labor violations found, and the number of child labor violations for which penalties were imposed and collected.	2014 – 2020
	Collect and publish national-level data from all state governments on trainings for criminal investigators, the number of criminal investigations, the number of violations found, the number of prosecutions initiated, and the number of convictions. Ensure that penalties are imposed for violations related to the worst forms of child labor, and that a reciprocal referral mechanism exists between criminal authorities and social services.	2009 – 2020
	Ensure that the number of labor inspectors in India meets the ILO's technical guidance.	2020
	Ensure adequate training for labor and criminal law inspectors, that an adequate number of labor inspections are conducted, that labor inspections are regularly conducted in all sectors in which child labor occurs, and that the complaint mechanism response time is efficient.	2019 – 2020
	Create meaningful penalties for employment of children in prohibited child labor to ensure that penalties adequately deter violations.	2014 – 2020
	Ensure that public officials who facilitate or participate in the worst forms of child labor are held accountable, including officials who accept bribes in exchange for protection from the law.	2018 – 2020
	Ensure that there is implementation of victim protection measures in courts, and ensure that judges and prosecutors at Protection of Children From Sexual Offences Act courts have adequate training or expertise on crimes involving the commercial sexual exploitation of children.	2020



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Fully implement standard operating procedures that provide financial assistance to victims rescued from bonded labor, including children, and ensure that bonded labor cases are fast tracked to ensure that victims receive financial assistance and are issued release certificates in a timely manner.	2018 – 2020
	Investigate suspected abuses and misconduct at government-run, government-funded shelter homes, and prioritize the official registration of all government-run, government-funded shelters to ensure government oversight. Ensure that shelter homes are fully staffed and free of abuses, including forced labor and commercial sexual exploitation of children.	2018 – 2020
	Ensure that all state governments conduct audits of all government-run, government-funded shelters as mandated by the Supreme Court.	2019 – 2020
	Ensure that law enforcement agencies have adequate technological and financial resources to respond to technological tools used by traffickers.	2020
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 – 2020
	Publish information about activities that were undertaken to implement the national plan of action and state action plans during the reporting period.	2018 – 2020
	Approve and implement a national policy to combat trafficking in persons and support victims.	2019 – 2020
Social Programs	Ensure that education accessibility is equitable and widespread by providing adequate financial resources dedicated to remote learning assets and penalizing education officials who engage in discrimination and harassment of children. Further reduce barriers to education, in particular for refugee children and children from marginalized communities, by providing sufficient training for teachers, providing separate and sanitary washrooms for girls, and increasing the number of available schools, especially in rural areas in which inadequate infrastructure and transportation options limit access to education.	2014 – 2020
	Ensure collection, findings, and publication of data on exploitative child labor are made available to the public, including findings from district-level bonded labor surveys and raw data from the national census.	2009 – 2020

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In 2020, Indonesia made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government removed 9,000 children from child labor through the Family Hope Program and subsequently enrolled them in school. The government also increased its allocation to street and abandoned children from \$357,142 (IDR 5 billion) in 2019 to \$2.7 million (IDR 38.1 billion), helping approximately 68,438 children. In addition, due to the COVID-19 pandemic, the government directed financial resources to families in extreme hardship by providing 96.8 million Indonesians who struggle to meet basic needs with the Indonesia Health Card. However, children in Indonesia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in 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 fully enforce child labor laws throughout the country. In addition, the government did not publish criminal enforcement information on the number of investigations conducted, violations found, prosecutions initiated, convictions, and imposed penalties for crimes relating to the worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Indonesia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in plantation agriculture, including in palm oil and tobacco production. (I-12) Table 1 provides key indicators on children's work and education in Indonesia.

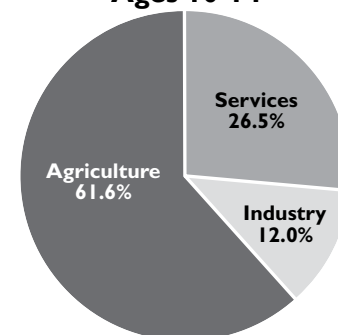
**Table 1. Statistics on Children's Work and Education**

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 (%)		102.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (13)

Source for all other data: International Labor Organization's analysis of statistics from National Labor Force Survey (Sakernas), 2010. (14)

**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 (2,15-22)
	Planting, watering, harvesting, and applying fertilizer to tobacco (1,15,19)
	Production of rubber† (15)
	Fishing, including on fishing vessels, in processing facilities, and on offshore platforms† (10,15,23-25)
Industry	Mining,† including gold, tin, and sand (15,19,24)
	Construction,† activities unknown (10,19,24,25)
	Production of footwear, including sandals (19,20)
	Production of bricks, tile, furniture, and textiles (26)
	Manufacturing pyrotechnics† (19,27,28)
Services	Street work, activities unknown (15,29)

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

Sector/Industry	Activity
Services	Garbage scavenging† (3)
	Horse jockeying (15,30-32)
	Domestic work (10,15,19)
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 (9,12,19,33,34)
	Forced domestic work and fishing, sometimes as a result of human trafficking (9,10,12,15,19,23)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (9-12,15,19)

† 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.

The COVID-19 pandemic has delayed government reporting on key child labor statistics during the reporting period. (10) The Ministry of Women Empowerment and Child Protection's 2019 Indonesian Children Profile report, with data on child laborers between ages 10 and 17, is the most recent source of government child labor data. However, data are still missing for child laborers ages 5 through 10. (35)

Children are subjected to forced domestic work and commercial sexual exploitation, particularly in Batam and Jakarta, as well as Bali, Bandung, Bogor, Surabaya, and Medan. Abroad, children, mostly girls, are also subjected to forced domestic work and commercial sexual exploitation, primarily in Malaysia, Taiwan, and the Middle East. (4,10,12,15,25) During the reporting period, Indonesia closed its borders to foreign tourists and limited domestic tourism due to the pandemic. Many destinations reliant on tourism have faced economic hardship, raising the risk of the worst forms of child labor for those without an economic safety net. (15,25)

The National Commission of Indonesian Child Protection (KPAI), IOM, JARAK—a network of NGOs focused on child labor issues, and other child protection NGOs conducted a survey between September and October 2020 to determine the impact of the pandemic on child workers. The survey consisted of 160 children working in 9 provinces and 20 cities, and found that 15.8 percent of children were engaged in street work; 31.6 percent were subjected to the worst forms of child labor, including commercial sexual exploitation; and 15.8 percent were engaged in domestic work. (15,36)




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. (1,5,15,37,38) Children working on agricultural plantations, including palm oil, coffee, and rubber plantations, collect fallen palm fruitlets and plants, and spray toxic herbicides. (2,6,17,39,40) 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 of school. (15,16,18,21,22) Children also work as horse jockeys and face a number of health and safety hazards, including risk of bone injuries and fatal falls. In addition to safety concerns, participation in horse racing may impact school attendance. (30-32)

Although the Act on National Education System mandates free education, research indicates that schools impose additional fees on students to cover school activities and educational items. (41) These added expenses may hinder students' ability to attend school. (19) Refugee children, and Indonesian children without proper birth documentation or a government-sponsored identification card, face a barrier to accessing education, as education is only accessible by citizens. (42-44) The government has an online application system as an alternative to applying at population registry offices to help Indonesian children obtain birth documentation more quickly so they can attend school. (43,45)

## 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	✓
 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 insufficient prohibitions against child trafficking.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Law on the Ratification of ILO C. 138; Article 69 of the Manpower Act (46,47)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Manpower Act; Article 2 of Ministerial Decree No. 235 (47,48)
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 (48)
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 (47,49,50)
Prohibition of Child Trafficking	No		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 (49,50)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 74 of the Manpower Act; Articles 81–82 of the Law on Child Protection; 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; Article 297 of the Penal Code (47,50-53)
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 (47,50)
Minimum Age for Voluntary State Military Recruitment	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (54)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 28 of Law No. 34/2004 on the Indonesian National Armed Forces (54)
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 (55)
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 (41,50)
Free Public Education	No		Articles 12, Section 2(b), and 34 of the Act on the National Education System (41)

The legislature has yet to pass the Domestic Workers Protection Bill. This bill outlines the circumstances under which children ages 15 through 17 can perform non-hazardous domestic work, including requiring parental permission to execute the work contract and prohibiting work at night. (9,56,57) However, the bill has made it into the government's 2021 Priority List of National Legislation. (45)

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Indonesia's prohibitions against child trafficking are inconsistent with international law because the Law on the Eradication of the Criminal Act of Trafficking in Persons requires a demonstration of threats, the use of force, or coercion to be established for the crime of child trafficking. (49,50) However, judicial officials at the national and provincial level continued to assert that the law implicitly established that force, fraud, or coercion were not required to constitute child sex trafficking and that this, therefore, was not a barrier in successfully prosecuting and obtaining convictions in child sex trafficking cases. (12,58)

Although Indonesia does specify the conditions in which light work may be undertaken and limit the number of hours for light work, it does not list activities in which light work may be permitted. The types of hazardous work prohibited for children also do not cover horse jockeying, a type of work in which there is evidence that Indonesian children are exposed to physical dangers. (48) In addition, Article 12, Section 2(b) of the Act on the National Education System permits schools to charge fees. While the Act on the National Education System provides for free basic education, the Act also requires students to pay prescribed fees unless those fees are waived. (41)

### 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 enforcement agencies 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, Directorate General of Labor Development and Supervision and Directorate of Norms Supervision of Women and Child Workers	Enforces the country's labor laws through labor inspections and formulates policies, standards, norms, guidelines, and mechanisms on labor inspections. Provides information to employers on child labor laws and regulations, and works with law enforcement officials to prosecute child labor violators. (59) 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 e-mail. (43)
National Police, including Women and Children's Service Unit	Conduct inspections and raids, and make arrests in response to crimes, including those related to the worst forms of child labor. (8)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Indonesia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Manpower (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	2019	2020
Labor Inspectorate Funding	\$16.7 million (8)	\$13.5 million (15)
Number of Labor Inspectors	1,574 (8)	1,352 (15)
Inspectorate Authorized to Assess Penalties	No (47,60)	No (47,60)
Initial Training for New Labor Inspectors	Yes (8)	Yes (15)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (8)	Yes (15,45)
Number of Labor Inspections Conducted	16,857 <sup>†</sup> (8)	10,007 <sup>‡</sup> (15)
Number Conducted at Worksite	16,857 <sup>†</sup> (8)	10,007 <sup>‡</sup> (15)
Number of Child Labor Violations Found	1 (8)	0 (15)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (8)	0 (15)
Number of Child Labor Penalties Imposed that Were Collected	0 (8)	0 (15)
Routine Inspections Conducted	Yes (8)	Yes (15)
Routine Inspections Targeted	Yes (8)	Yes (15)

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

Overview of Labor Law Enforcement	2019	2020
Unannounced Inspections Permitted	Yes (8)	Yes (60)
Unannounced Inspections Conducted	Yes (8)	Yes (15)
Complaint Mechanism Exists	Yes (8)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (15)

† Data are from January 2019 to September 2019.

‡ Data are from January 2020 to September 2020.

Between January and September 2020, MOM conducted 10,007 inspections in the formal sector, which included 580 child labor-specific inspections. The majority of these inspections occurred in manufacturing and construction. (15) ILO and MOM officials suspect that additional child labor violations occur, but the government's inability to conduct inspections in the informal sector and an insufficient number of inspectors prevent identification of all child labor violations. (15) Inspectors also lack authority to inspect private farms and homes, in which child labor often occurs. (1,15) Despite this prohibition, the Ministry of Women Empowerment and Child Protection (MoWECP), which coordinates the provision of social services to children, responds to reports of child labor in the informal sector. (20)

Due to budget reprioritizations in response to the pandemic, labor inspection funds decreased from \$16.7 million in 2019 to \$13.5 million in 2020. (15) Officials noted that funds are insufficient to cover office infrastructure, transportation, and fuel for vehicles, which hampered labor inspectors' ability to carry out inspections. (8)

Also due to pandemic-related budget limitations, MOM employed 1,352 labor inspectors in 2020, down from 1,574 labor inspectors the previous year. Officials at MOM disclosed that there are insufficient inspectors to cover the entire country, and MOM continued to employ and rely on community-based monitors and neighborhood chiefs to report incidences of child labor. (15,43) 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. (43)

MOM conducted virtual training for 157 new and existing labor inspectors on laws related to child labor and hazardous labor. (15) Despite institutionalized refresher training, government officials noted that the amount of refresher training was insufficient, given the total number of labor inspectors. (8,56)

As the law in Indonesia treats child labor as a criminal offense, labor inspectorates may initiate investigations for violations related to child labor, which may result in prosecutions and criminal penalties. (47,60) A trial involving a child labor violation in 2019 was still ongoing as of early 2020, and penalties have not been assessed. (15)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	No (15,45)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (8)	Yes (15)
Refresher Courses Provided	Yes (58)	No (15,45)
Number of Investigations	Unknown (8)	Unknown (15)
Number of Violations Found	Unknown (8)	Unknown (15)



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

Overview of Criminal Law Enforcement	2019	2020
Number of Prosecutions Initiated	Unknown (8)	Unknown (15)
Number of Convictions	Unknown (8)	Unknown (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (15)

Government data on criminal law enforcement efforts specific to child labor, including the number of investigations, violations found, prosecutions initiated, convictions, and imposed penalties are not available, as the government does not have a system to aggregate this information. Child labor cases are investigated by MOM civilian investigators who collect evidence and prepare information that is passed to the Attorney General's Office for subsequent prosecution. (15) In addition, the Indonesian National Police handle investigations regarding child trafficking. (15)

During the reporting period, no child labor training was held for law enforcement due to pandemic-related restrictions and reprioritization of funds. However, the MoWECP and IOM organized four in-person technical guidance sessions on TIP witness and victim handling for members of the Anti-Trafficking in Persons (TIP) Task Force at the national and local levels. (15) Research found training on current child labor-specific regulations to be inadequate. (8)

## 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
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. (61) Indonesia has provincial-level task forces in 32 provinces and 194 district-level committees. During the reporting period, provincial-level and district-level regional action committees were active and continued to coordinate and monitor policy and program efforts to develop action plans to eliminate the worst forms of child labor at the local level. (15)
Anti-Trafficking in Persons Task Force (ATTF)	Formerly the National Task Force to Combat Trafficking in Persons, coordinates anti-trafficking efforts across 21 ministries and government agencies, including efforts to combat child trafficking. Chaired by the Coordinating Ministry of Human Development and Culture, with task force meetings organized by the Ministry of Women Empowerment and Child Protection. (8,62) Organizes regular coordination meetings, provides technical trainings on human trafficking for government officials, and produces publications on the prevention of human trafficking. (15) Provides vocational training and scholarships to school-age children to reduce susceptibility to human trafficking. (63) During the reporting period, ATTF continued to work on the 2020–2024 National Action Plan on Preventing Trafficking in Persons. (45)
Provincial and District Task Forces for the Prevention and Handling of Human Trafficking	Coordinate prevention and anti-trafficking efforts at the local level. (63) Commonly chaired by the local Integrated Service Center for Women and Children or the local Office of Social Affairs. Operate in 32 provinces and 191 out of 438 districts. (64,65) During the reporting period, the government significantly increased the number of municipal and district-level task forces from 194 in 2019 to 242 in 2020. (12)
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. (43) Chaired by the Ministry of Education and Culture. (8) Research was unable to determine whether the Sub-Task Force on the Prevention of Child Participation in Trafficking in Persons was active during the reporting period.
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. (50) During the reporting period, KPAI collaborated with IOM, JARAK, and other child protection NGOs to conduct a survey to determine the impact of the pandemic on child workers. (15)

Research has indicated that some Provincial and District Task Forces lack sufficient funding and fail to incorporate the ATTF's recommendations into their plans of action to adequately guide efforts to eliminate the trafficking of women and children. (12,26,58)

## 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 Plan of Action (NPA) 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. (66) Established a program to create a series of industrial zones free of child labor and the National Movement for the Elimination of the Worst Forms of Child Labor. During the reporting period, activities for implementing the NAP were halted to focus on assistance to individuals affected by the pandemic. (15)
Roadmap Toward a Child Labor-Free Indonesia in 2022 (2014–2022)	Supports implementation of the NPA 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. (68)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (15,25)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Child Trafficking Services†	Provide social rehabilitation and shelter services for child victims of trafficking. Led by Ministry of Social Affairs (MOSA) and other government agencies. (56) While the child trafficking shelters were active during the reporting period, MOSA officials noted that victim identification and referral processes have slowed due to the pandemic, as shelter officials needed to limit interactions with potential victims of human trafficking. (25)
Cash Transfer Programs†	Provide 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-age 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. (8,43) In 2020, the government provided KIP cards to 18.1 million students from poor families, and allocated \$2.7 million (IDR 38.1 billion) to 68,438 street and abandoned children—a significant increase from \$357,142 (IDR 5 billion) for 5,000 street and abandoned children in 2019. (15)
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. (43) 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. (69) Community Learning Centers provide education for children of palm oil workers. (56,65,70) Reducing Child Labor to Support the Family Hope Program provides special education services to prepare children who dropped out of school to work so they can return to school, and aims to reduce child labor among targeted households. (8,43) In 2020, the government allocated \$3.87 billion (IDR 54.2 trillion) to the Block Grants for Schools fund. The government also removed 9,000 from child labor and subsequently enrolled them in school through the Family Hope Program, meeting the goal set by the Minister of Labor. (15,71,72)

† 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. (15,19,73)

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Due to the pandemic, the government directed financial resources for social assistance to families in extreme hardship. In 2020, 96.8 million Indonesians received the Indonesia Health Card for those who live below the food poverty line and struggle to meet basic needs. (15)

In June 2020, the ILO, in collaboration with the Ministry of National Development Planning, MOM, and JARAK, organized a webinar on the "Challenges and Strategies to Collectively and Sustainably Combat Child Labor." The webinar was attended by 400 participants across Indonesia, who received updates on the pandemic and its impact on child labor in Indonesia. (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 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, and coercion do not need to be established for the crime of child trafficking.	2018 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including jockeying in horse racing, in which there is evidence that children are exposed to physical dangers.	2019 – 2020
	Ensure that the law's light work provisions specify the activities in which light work may be permitted.	2020
	Establish by law free basic public education by removing provisions that permit schools to charge fees.	2020
Enforcement	Ensure that labor inspectors have authority to inspect the informal sector, including private farms and homes, for child labor violations.	2018 – 2020
	Ensure that labor inspectorate funding is sufficient to cover infrastructure, transportation, and fuel requirements to enable labor inspectors to carry out inspections.	2018 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice to provide adequate coverage of the workforce.	2010 – 2020
	Ensure that all labor law and criminal law enforcement personnel receive adequate training on child labor regulations, including refresher trainings for labor inspectors.	2017 – 2020
	Publish criminal law enforcement information, including the number of investigations conducted, violations found, prosecutions initiated, convictions, and imposed penalties for crimes relating to child labor, including its worst forms.	2009 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
	Sufficiently fund Provincial and District Task Forces and require them to incorporate the recommendations of the Anti-Trafficking in Persons Task Force into their plans of action on the elimination of trafficking of women and children.	2016 – 2020
Social Programs	Collect and publish prevalence data on child laborers ages 5 through 10.	2019 – 2020
	Conduct research to determine the types of activities carried out by children, including in construction and street work sectors, to inform social policies and programs.	2014 – 2020
	Enhance efforts to eliminate barriers to education, including removing school-related fees for basic education and ensuring that all children are able to obtain a government-issued student identification number so they can attend school.	2016 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Iraq made minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Interior investigated several cases implicating Ministry of Interior police and Iraqi Security Forces members in sex trafficking crimes, including prosecution, conviction, and sentencing of six police officers and two Internal Security Forces service members for trafficking boys and girls into sexual exploitation. In addition, the Ministry of Interior upgraded the Anti-Trafficking Directorate from departmental to directorate status and increased its allocation of financial and human resources. However, despite initiatives to address child labor, Iraq is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate child labor. Iraqi and Kurdistan Regional Government authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children's confessions. Children in Iraq are subjected to the worst forms of child labor, including in forced begging and in commercial sexual exploitation, each sometimes as a result of human trafficking. The government did not provide information on its labor or criminal law enforcement efforts for inclusion in this report. It 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 are subjected to the worst forms of child labor, including in forced begging and in commercial sexual exploitation, each sometimes as a result of human trafficking. (1-4) Household surveys, such as the 2018 Multiple Indicator Cluster Survey (MICS) in Iraq, are not designed to capture the labor performed by IDPs living in camps and, therefore, the 2018 MICS survey does not capture children in this population involved in child labor. 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	4.8 (Unavailable)
Attending School (%)	5 to 14	78.4
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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 (2,7)
	Herding livestock (7)
	Fishing, activities unknown (2)
Industry	Construction (7,8)
	Working in carpentry workshops (7,9)
	Making bricks, including transporting bricks and working in kilns (2,10)

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

Sector/Industry	Activity
Industry	Working in factories, producing glass, household cleaners, paint, steel, garments and textiles, perfume, electrical materials, and plastic recycling (2,7,8,10-14)
Services	Street work, including selling goods, pushing carts, cleaning cars, and begging (11,12,14-17)
	Working at gas stations† and auto repair and other shops (2,10,12,18-20)
	Working in landfills, scavenging and collecting garbage† and scrap metal (10,14,15,21,22)
	Domestic work (7)
	Working in hotels, restaurants, and tea houses (7,11,12,20)
Categorical Worst Forms of Child Labor‡	Working at cemeteries (23)
	Use in illicit activities, including cross-border smuggling and drug and weapons trafficking, sometimes as a result of human trafficking (2,3,11,12,24,25)
	Domestic work as a result of human trafficking (26-28)
	Forced begging, sometimes as a result of human trafficking (2,4,29,30)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,4,29-32)
	Recruitment of children by non-state armed groups for use in armed conflict (11,30,33)

† 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.

Throughout the country, some girls were subjected to commercial sexual exploitation through temporary marriages, including out of IDP camps. (3,32) Iranian-backed Popular Mobilization Forces (PMF)-affiliated militias Asaib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN) profited from and protected "marriage offices" operated by clerics that facilitate commercial sexual exploitation of children through temporary marriage; the practice reportedly increased in 2020. (3,4,30) Syrian girls from refugee camps in the Kurdistan region were sometimes forced into early or temporary marriages with Iraqi or other refugee men; some Kurdistan Regional Government (KRG) authorities allegedly ignored or accepted bribes to ignore such cases, including those in which girls were sold multiple times. (3) Research found that women and girls in IDP camps, whose family members have alleged ties to ISIS, 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. (29)

In 2020, the UN verified the combat death of a boy recruited by the PMF in 2018. (33)




Children also faced numerous other barriers to accessing education including displacement, the lack of local schools, the use of schools as shelters by IDPs, costs of transportation and school supplies, lack of sufficient educational facilities, and IDPs’ and refugees’ lack of identification documents required for school enrollment. (2,8,12) Sources indicate severe teacher shortages in Sinjar district as the result of teachers being displaced. (2) Insufficient access to transportation and destruction of schools during the conflict with ISIS continue to limit access to education; according to UNICEF, over half of the schools in Iraq require repairs. (2) Children of parents whose marriages were informal due to the woman being a minor, some displaced persons, and some children with suspected ties to ISIS lack identification documents required for school enrollment. (2,34,35) Additionally, as of June 2020, 1.39 million people, including about 648,000 children, remained internally displaced with poor access to education. (36,37)

Displaced children and refugee children are especially vulnerable to educational barriers, including the cost of transportation and school supplies, lack of documentation, host community children being given priority for classroom seats, and vulnerability to COVID-19 related school closures due to reduced access to mobile devices, the internet, and parental support. (2) Secondary and higher education systems refused to accept approximately 600 students who had studied at schools that used the Latin rather than Arabic alphabet; many of these students dropped out as a result. (2) Children with special needs had limited access to education due to lack of specialized teachers and school infrastructure. (2) UNICEF also reported that, while almost 92 percent of children enroll in primary schools, only half of children from economically disadvantaged families complete primary school and less than a quarter complete secondary education. (38)

## 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 and the KRG's legal framework to adequately protect children from the worst forms of 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 (39)
	Kurdistan Region	Yes	15	Article 90.1 of the 1987 Labor Law (40)
Minimum Age for Hazardous Work	Iraq	Yes	18	Article 95 of the 2015 Labor Law (39)
	Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the 1987 Labor Law (40)
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 (39,41)
	Kurdistan Region	Yes		Article 91.2 of the 1987 Labor Law; Ministry of Labor's Instruction 19 of 1987 (40,41)
Prohibition of Forced Labor	Iraq	Yes		Articles 9 and 11.2 of the 2015 Labor Law (39)
	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 (40,42)
Prohibition of Child Trafficking	Iraq	No		Articles 1 and 6 of the Law to Combat Human Trafficking (42)
	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 (40,42)
Prohibition of Commercial Sexual Exploitation of Children	Iraq	No		Articles 399 and 403 of the Penal Code (43)
	Kurdistan Region	Yes		Articles 91.3(b), 91.4, and 97 of the 1987 Labor Law (40)
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 (40)
Minimum Age for Voluntary State Military Recruitment	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (44)
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		

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

Standard	Related Entity	Meets International Standards	Age	Legislation
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 (45,46)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (47)
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (45,48)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (47)

\* No conscription (44)

‡ Age calculated based on available information (45,46)

Article 117 of the Constitution of Iraq recognizes Kurdistan, which comprises the provinces of Dohuk, Erbil, Sulaimaniya, and Halabja, as a federal region. (48-51) Article 121 grants the Kurdistan Region the right to exercise legislative, executive, and judicial powers. (48) The Iraqi Kurdistan Parliament must endorse any laws that the Government of Iraq has passed after 1991 for such laws to enter into force in the Iraqi Kurdistan Region. (49-51)

In Iraq, Article 1 of the Law to Combat Human Trafficking requires force, fraud or coercion to be present as an element to constitute the crime of child trafficking, which is inconsistent with international standards, including Article 3 of the Palermo Protocol. (42) The Iraqi Kurdistan Parliament endorsed the Iraqi Law to Combat Human Trafficking, which means the operative human trafficking standard in the Kurdistan Region is also not in compliance with international standards. (52)

Iraq's laws do not sufficiently prohibit the use of children in prostitution or the use, procuring, and offering of children for the production of pornography or pornographic performances. (43) 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. (45,46) 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 operations of enforcement agencies 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. (12) Conducts research on child labor through its Childhood Welfare Authority. Receives complaints of child labor cases. (12)
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 KRG's Ministry of Interior (KMOI) play a supporting role in the daily activities of KMOLSA. (12)
Ministry of Interior (MOI)	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. (12) Maintains a hotline for victims of human trafficking, with calls routed directly to the Ministry's Anti-Trafficking Directorate. (12) In 2020, the MOI upgraded the Anti-Trafficking Directorate from departmental status, increasing its allocation of financial and human resources. (4)
Kurdistan Regional Government's Ministry of Interior (KMOI)	Kurdistan Region	Investigates cases of commercial sexual exploitation and human trafficking. (12) Includes a Counter Trafficking Directorate within KMOI. (52)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Labor Law Enforcement**

In 2020, labor law enforcement agencies in Iraq took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of the Ministry of Labor and Social Affairs (MOLSA) and the Kurdistan Regional Government's Ministry of Labor and Social Affairs (KMOLSA) 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	2019	2020
Labor Inspectorate Funding	Unknown (11)	Unknown
Number of Labor Inspectors	Unknown (11)	Unknown
Inspectorate Authorized to Assess Penalties	No (39)	No (39)
Initial Training for New Labor Inspectors	No (11)	No (2)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (11)	No (2)
Number of Labor Inspections Conducted	9,129 (2)	Unknown
Number Conducted at Worksite	Unknown (11)	Unknown
Number of Child Labor Violations Found	Unknown (11)	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	Unknown
Routine Inspections Conducted	Yes (11)	Yes (2)
Routine Inspections Targeted	Yes (11)	Yes (2)
Unannounced Inspections Permitted	Yes (39)	Yes (39)
Unannounced Inspections Conducted	Unknown (11)	Unknown
Complaint Mechanism Exists	Yes (11)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (2)

During the reporting period, MOLSA reported that it conducted site visits to industrial zones to monitor for child labor. In addition, several brick factories were shut down as a result of such enforcement actions; it is unknown, however, if the child labor issues identified in these factories were remediated or if children found to be working there received appropriate services. (2) Sources indicate that KMOLSA and the Kurdistan Regional Government's Ministry of Interior (KMOI) were responsive regarding complaints of child labor in the Kurdistan region, but would only conduct child labor inspections in response to a complaint. (2)

In 2020, MOLSA employed 98 inspectors. The number of KMOLSA inspectors is unknown. (2) Although the total number of labor inspectors in Iraq during the reporting period is unknown, research indicates that in 2020 the number of labor inspectors was likely insufficient for the size of the Iraqi and KRG workforces, which combined includes over 8.9 million workers. (2,53) 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. (54,55) In addition, both MOLSA and KMOLSA indicated that the number of inspectors is insufficient. (2)

In 2020, KMOLSA did not provide training on child labor to inspectors. (2) When inspectors identify child labor violations, they can issue warnings and instructions, or refer cases to court. (56) KMOLSA indicated that funding is insufficient to carry out its duties. (2)

The government did not provide information on its labor law enforcement efforts for inclusion in this report.

**Criminal Law Enforcement**

In 2020, 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.



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (11)	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (11)	Unknown
Number of Investigations	Unknown (11)	Unknown
Number of Violations Found	Unknown (11)	Unknown
Number of Prosecutions Initiated	Unknown (11)	Unknown
Number of Convictions	Unknown (11)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (11)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

In 2020, Iraqi and KRG authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children’s confessions. (3,29,33,57,58) During the reporting period, a special committee of judges in Nineveh undertook the task of adjudicating cases of individuals charged with joining ISIS as children. Sources indicate that 202 individuals were convicted, charges against 31 were dropped, and 44 were pardoned and released. (59) Observers hoped that the committee’s adherence to international standards would be an example to other bodies; however, authorities dissolved the committee in June. Other bodies continue to adjudicate cases of children who joined ISIS. (59)

During the reporting period, the Ministry of Interior (MOI) took steps to investigate and hold criminally accountable military and security personnel for involvement in the sexual exploitation of children. MOI investigated several cases implicating MOI police and Iraqi Security Forces (ISF) members in sex trafficking crimes, including prosecution, conviction, and sentencing of six police officers to 10 years imprisonment and two ISF servicemembers to 8 years imprisonment for trafficking boys and girls into sexual exploitation. (4,60) However, reporting indicates that security and camp management personnel in IDP camps were complicit in the sexual exploitation and trafficking of girls. (4)

The government did not investigate or hold anyone criminally accountable for allegations of unlawful recruitment and use of child soldiers. (3) Some victims of human trafficking, including children who were forcibly recruited and used, continued to be punished for unlawful acts their traffickers compelled them to commit. (3,51) In addition, an NGO reported that police occasionally detained children engaged in street begging and kept them in custody before releasing them; police did not screen these children as possible victims of human trafficking or refer them to appropriate protection services. (3,11) However, during the reporting period, the Central Committee to Combat Trafficking in Persons conducted 18 training sessions for police officers and judges focusing on appropriately investigating and prosecuting human trafficking cases so that victims of trafficking are considered victims even if they had broken Iraqi law. (4)

According to the KRG, between 2014 and 2020, KRG authorities funded the rescue from ISIS of more than 3,545 kidnapped Yazidis, members of a minority religious group, including 1,600 children. Civil society organizations reported that returned victims of sexual exploitation remained vulnerable to exploitation upon their return to the Kurdistan Region. (4)

The government did not provide information on its criminal law enforcement efforts 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 coordination among agencies to effectively process cases of children suspected of having ties with ISIS or children who are victims of human trafficking.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**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, researches policies regarding child labor, and designs and manages projects. Members include representatives from MOLSA and four other ministries. (11) In 2020, the committee coordinated with the UN to address grave violations through its Monitoring and Reporting Task Force, including four meetings concerning monitoring tools, screening children, ethical considerations, and addressing sexual violence. (2,61)
Central Committee to Combat Trafficking in Persons (CCCT)	Iraq	Oversees the implementation of the Law to Combat Human Trafficking and serves as the national coordinating body on trafficking in persons. Led by MOI, and includes representatives from five ministries, KMOI, and two other state entities. (11,13,18) In 2020, the CCCT continued to coordinate the government's efforts to combat human trafficking including running a nationwide public awareness campaign. (4) In addition, the CCCT increased its number of KRG representatives from one to three and instituted monthly meetings between MOI and KMOI. (4)
Inter-Ministerial Committee on Trafficking in Persons	Kurdistan Region	Makes recommendations on implementing the KRG's Anti-Trafficking in Persons Law. Headed by the Director General of the <i>Divan</i> at the Ministry of Interior; it also includes 17 members from several ministries and services. (30) The Inter-Ministerial Committee on Trafficking in Persons did not meet regularly during the reporting period. (60)
KRG Council of Ministers	Kurdistan Region	KMOI and KMOLSA coordinate on child labor in the Iraqi Kurdistan Region through the KRG Council of Ministers. (11) Research was unable to determine whether the KRG Council of Ministers was active during the reporting period.
KRG High Committee on Human Trafficking	Kurdistan Region	Led by KMOI and includes representatives of KMOLSA and includes 17 government ministries. (3,11) Specific activities are unknown. (62) Research was unable to determine whether the KRG High Committee on Human Trafficking 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 covering 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	Outlines a comprehensive approach to addressing child protection, including addressing child labor, 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. (12,63) The policy does not specifically cover other worst forms of child labor present in Iraq, including forced begging and commercial sexual exploitation. (63) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
National Plan on Combating Human Trafficking in Iraq	Iraq	Aims to combat human trafficking by outlining steps to be taken by authorities represented on the CCCT. Focuses on prevention, protection, prosecution, and regional and international cooperation and includes considerations for child victims. (64) Active in 2020. (4)

Research was unable to identify any child labor policies in the Kurdistan Region. (12)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2020, 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 adequacy of programs to address the full scope of the problem.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**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 accelerated education that encourages children ages 12 to 18 who have dropped out of school to continue their education. (12) Research was unable to determine what steps were undertaken in 2020 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 2020, MOLSA continued to provide cash assistance to low-income families to send their children to school. (2)
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. (12) Officials have indicated that poor coordination and policies that dissuade victims from seeking help accounted for a low number of victims receiving services through shelters. (30) In 2020, 18 trafficking victims were referred to shelters, however, officials stated that referral gaps prevented shelters from helping more victims. (4)

† Program is funded by the Government of Iraq.

In 2020, 258 children at-risk of joining or formerly associated with armed groups participated in community-based reintegration programs in Najaf, Karbala, Kirkuk, and Ninewa. (65) However, neither the Government of Iraq nor the KRG efforts to provide protection services to demobilized child soldiers of ISIS or the PMF are sufficient. Failing to reintegrate former child soldiers leaves them vulnerable to re-victimization or re-recruitment into armed groups. (3) Likewise, research was unable to find evidence of specific active programs to support children subjected to commercial sexual exploitation or other worst forms of child labor, including child soldiering. Existing programs do not sufficiently address the lack of access to education in Iraq and the Kurdistan Region.

## 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 their application, in accordance with international standards.	2015 – 2020
	Ensure that the law criminally prohibits the use of a child in prostitution and the use, procuring, and offering of a child for the production of pornography and pornographic performances.	2019 – 2020
	Ensure that the law in Iraq criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2013 – 2020
	Increase the age of compulsory schooling in Iraq to at least age 15, the minimum age for work.	2009 – 2020
Enforcement	Ensure that children under age 18 are not recruited or used by armed groups affiliated with the Popular Mobilization Forces and that those that recruit and use children criminally accountable.	2016 – 2020
	Publish labor law enforcement information, such as the funding of the labor inspectorate, number of inspectors, inspections, and violations.	2011 – 2020
	Authorize the labor inspectorate to assess penalties.	2017 – 2020
	Ensure that routine labor inspections are carried out in the Kurdistan Region of Iraq.	2019 – 2020
	Ensure that labor inspectors and criminal investigators receive training, including refresher courses, on child labor and that they have sufficient resources to carry out their duties.	2016 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice and ensure adequate funding to enforce legal protections against child labor, including its worst forms.	2011 – 2020
	Publish information on criminal law enforcement on the worst forms of child labor in Iraq and the Iraqi Kurdistan Region.	2013 – 2020

## 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 are not arrested, detained, tortured, or denied services on the basis of their or their family members' perceived ties to ISIS.	2015 – 2020
	Ensure that allegations of sexual exploitation and trafficking of girls in IDP camps by government officials are investigated and those responsible are held criminally liable.	2019 – 2020
Coordination	Ensure that all coordinating bodies meet and are able to carry out their intended mandates.	2017 – 2020
Government Policies	Implement the Child Protection Policy in Iraq, and adopt a child labor policy in the Iraqi Kurdistan Region for other worst forms of child labor present in Iraq, including forced begging and commercial sexual exploitation.	2018 – 2020
Social Programs	Implement programs to ensure that children are discouraged from enlisting in armed groups and receiving military training.	2015 – 2020
	Ensure that universal access to education is consistent with international standards, including for refugee and internally displaced children, and that programs address barriers to education, including the lack of teachers, the destruction and lack of local schools, costs of transportation and school supplies, lack of infrastructure, especially during school closures. Ensure that the lack of identification documents does not hinder access to education, including for IDPs and refugees, children with suspected ties to ISIS, and children of “informal” marriages.	2013 – 2020
	Implement programs to address child labor in relevant sectors in Iraq, such as the provision of services to children in commercial sexual exploitation, to demobilize and reintegrate children engaged in armed groups, and to provide informal education programs and shelters for human trafficking victims.	2009 – 2020

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In 2020, Jamaica made moderate advancement in efforts to eliminate the worst forms of child labor. The government launched a national referral mechanism for child trafficking victims, and significantly increased the budget for the Program for Advancement through Health and Education from \$70.7 million in 2019 to \$100 million, an expansion that was supplemented with another \$6.7 million after the onset of the COVID-19 pandemic. It also implemented the Child Labor Risk Identification Model, a preventative tool that identifies geographical areas and sectors with the highest probability of child labor. However, children in Jamaica are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and use in illicit activities. Children also engage in dangerous tasks in agriculture and street work. 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 than penalties imposed for these same crimes when the victims are adults.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jamaica are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and use in illicit activities. (1,2) Children also engage in dangerous tasks in agriculture and street work. (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.

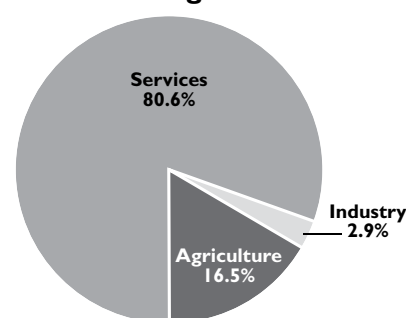
**Table 1. Statistics on Children's Work and Education**

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, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Jamaica Youth Activity Survey (SIMPOC), 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 (3,5)
	Fishing, activities unknown (3,6,7)
Industry	Construction† (8)
Services	Garbage scavenging and collecting scrap metal (6,9)
	Working in gardens, shops, and markets (5,10)
	Domestic work (5,10-13)
	Street work, including peddling goods and services, begging,† and vending (5,6,13-15)
	Wholesale and retail (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,5,8,13,14,16)
	Forced labor in domestic work (1,5,14,17)
	Use in illicit activities, including executing financial scams and serving as drug and gun couriers (1,6,8-10,13,14,16,18-20)

† 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.

# Jamaica

## MODERATE ADVANCEMENT

Jamaica is a destination and source country for commercial sexual exploitation of children, particularly in or near the tourist attractions of Negril, Montego Bay, and certain urban areas of Kingston. (5) Jamaican children are trafficked for commercial sexual exploitation and forced labor to countries including the United States, the United Kingdom, and Canada. (17) Sources indicate that children, sometimes at the behest of parents or criminal leaders referred to as “dons,” are forced into commercial sexual exploitation. (6) Young girls, immigrant children, LGBTQI+ youth, children from poor families, and children from rural areas are particularly vulnerable to human trafficking and child sexual exploitation. (1,14)

Children also continue to be recruited by criminal organizations to engage in illicit activities, such as gang violence, drug and gun smuggling, and financial fraud, including lottery scamming. (1,6,14,16,20) Some child domestic workers are 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. (1,14,21)




The Statistical Institute of Jamaica and the ILO released the results of the Jamaica National Youth Activity Survey, which estimated that 37,965 children between ages 5 to 17 are engaged in child labor in Jamaica, with 48.9 percent engaged in hazardous work. Children are engaged in hazardous work primarily in the domestic work sector, in agriculture and fishing, in the wholesale and retail sectors, and in construction. (22) Children in rural areas are more likely to work than their urban counterparts; they are also more likely to work more hours and to engage in hazardous work. (3,22)

Although education in Jamaica is free, compulsory, and universal through secondary school, the cost for transportation, food, books, and uniforms creates barriers to education for some children. (6,23,24) School violence is common and, as a result, may prevent access to education. (5)

## 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 (25)
Minimum Age for Hazardous Work	Yes	18	Article 34(3) of the Child Care and Protection Act (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		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 49(2) of the Factories Act: Building Operations and Works of Engineering Construction Regulations; Section 18 of the Mining Act (25-28)
Prohibition of Forced Labor	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act (29)
Prohibition of Child Trafficking	Yes		Section 10 of the Child Care and Protection Act; Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act (25,29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 4 of the Trafficking in Persons (Prevention, Suppression and Punishment) Act; Sections 20 and 40 of the Sexual Offences Act; Sections 3–5 of the Child Pornography (Prevention) Act (29-31)
Prohibition of Using Children in Illicit Activities	Yes		Section 4 of the Criminal Justice (Suppression of Criminal Organizations) Act (32)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 18(2) of the Defence Act (33)
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 (25)
Free Public Education	Yes		Section 13(k) of the Jamaican Charter of Fundamental Rights and Freedoms (34)

\* No conscription (29)

Jamaican laws do not specifically include higher penalties for perpetrators who use, procure, or offer a child for the production and distribution of drugs. (25,35) The minimum age for work is also lower than the compulsory education age, which may encourage children to leave school before the completion of schooling. In addition, Jamaican law does not criminally prohibit military recruitment of children under age 18 by non-state armed groups.

The Occupational Safety and Health Bill was expected to be passed by parliament during the reporting year, but it still has not been passed. Regulations associated with the bill, if passed, specify light work activities are permitted for children ages 13 and 14. (6,14,36)

### 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 authority of enforcement agencies 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)	Enforces and administers child labor laws through the labor inspectorate, in both the formal and informal sectors of the economy. The Child Labor Unit within MLSS coordinates and shares information with other agencies to address child labor issues. (8)
Child Protection and Family Services Agency (CPFSA)	Monitors and investigates suspected child labor violations and oversees efforts to address child labor. Housed within the Ministry of Education, Youth and Information. (6,36) 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. (6,8) Approximately 2,000 calls were received through the hotline, of which 314 were child labor matters that were referred from the National Children's Registry to the Investigation Services Unit. (38)

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Office of the Children's Advocate	Independently investigates reports of child abuse; partners with other agencies, including CPFSA and the police, to promote protection of children and address child labor. (8)
Jamaica Constabulary Force	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. (8) Through the Center for the Investigation of Sexual Offenses and Child Abuse, investigates cases of child and sexual offenses, and educates the public about sexual offenses against children. (6)
Office of the Director of Public Prosecutions	Prosecutes cases involving the worst forms of child labor. Protects and promotes human rights for all citizens. (39)
Office of the National Rapporteur on Trafficking in Persons	Monitors government efforts to protect human trafficking victims, prosecute cases, and implement preventative measures. (14)
Ministry of Justice Victim Services Division	Provides emotional support, crisis management, and special intervention projects for children and adults. (14) Assists child crime victims through the Children in Court Program, which offers victims access to social workers and counselors. (40)
Counter Terrorism & Organized Crime Investigation Branch, Anti-Trafficking in Persons Unit	Responsible for special investigations of human trafficking, including child trafficking and crimes such as forced child labor, commercial sexual exploitation, and the use of children in illicit activities in which trafficking is involved. (8)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Jamaica took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor and Social Security (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	2019	2020
Labor Inspectorate Funding	\$3,000,000 (41)	\$3,144,000 (5)
Number of Labor Inspectors	183 (41)	181 (5)
Inspectorate Authorized to Assess Penalties	No (8)	No (5)
Initial Training for New Labor Inspectors	Yes (41)	Yes (5)
Training on New Laws Related to Child Labor	Yes (41)	Yes (5)
Refresher Courses Provided	Yes (41)	Yes (5)
Number of Labor Inspections Conducted	Unknown (8)	2,669 (5)
Number Conducted at Worksite	Unknown (8)	1,821 (5)
Number of Child Labor Violations Found	0 (41)	6 (38)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (8)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (8)	Unknown (5)
Routine Inspections Conducted	Unknown (8)	Yes (5)
Routine Inspections Targeted	Unknown (8)	Yes (5)
Unannounced Inspections Permitted	Yes (8)	Yes (42)
Unannounced Inspections Conducted	Unknown (8)	Yes (5)
Complaint Mechanism Exists	Yes (8)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (5)

In 2020, 168 labor inspectors received refresher training on how to identify child labor. (38) There were six cases of child labor violations found as a result of labor inspections. Two involved two 17-year-olds who were not aware they were not allowed to work at a construction site. The child victims in the remaining four cases were provided medical and psychological care and sent to shelters or returned home to their parents. (38)

Inspectors are not allowed to enter and inspect private residences, do not have authority to assess penalties, and are not required to take refresher training unless an administrative order or policy directive is issued. (5) Social workers are allowed to enter private residences and are trained to watch for indicators of child labor. (38)

The Government of Jamaica took steps in 2020 to address the country's child labor issues. In partnership with USDOS, Jamaica developed and released a national referral mechanism for child trafficking victims as an objective under the Child Protection Compact. (2) Furthermore, research shows that the MLSS significantly increased the budget for its Program for Advancement through Health and Education from \$70.7 million in 2019 to \$100 million, an expansion that was supplemented with another \$6.7 million after the advent of the pandemic. (5,8,23) However, the budget for anti-trafficking programming, which includes child labor programs in many respects, was reduced during the reporting period. All ministries saw budget cuts, with the anti-trafficking budget reduced by \$26,000 during the second quarter. (38)

### **Criminal Law Enforcement**

In 2020, 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 lack of regular training for prosecutors and officials.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (41)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (5)
Refresher Courses Provided	Yes (41)	Yes (5)
Number of Investigations	18 (41)	28 (5)
Number of Violations Found	4 (41)	8 (5)
Number of Prosecutions Initiated	4 (41)	2 (5)
Number of Convictions	5 (41)	1 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (41)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (5)

During the reporting period, line prosecutors and judiciary received training sessions pursuant to the U.S.-Jamaica Child Protection Compact. While the amount of training provided continues to increase year after year, the training program remains ad hoc. (2)

In 2020, the Anti-Trafficking in Persons Unit and Center for Investigation of Sexual Offenses and Child Abuse found eight violations of laws related to the worst forms of child labor. All of the victims had been subjected to commercial sexual exploitation. Fifteen cases are still under investigation. (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 clarity of institutional mandates.

**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 and agencies, 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. (2) During the reporting period, MLSS partnered with NATFATIP to host various online public awareness campaigns on child labor and human trafficking. (2)



## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
NATFATIP	Facilitates information exchanges between government agencies and external stakeholders and creates momentum for counter-trafficking efforts. Led by the Ministry of National Security, includes ministries and agencies across the government. (8,41) Oversees implementation of the country's National Action Plan to Combat Human Trafficking. (9) Meets regularly with the Jamaica Constabulary Force, the Director of Public Prosecutions, and relevant ministries. (8,9) In 2020, appointed a new permanent secretary and formed a new library collection of books on trafficking in persons. (5,43) With the support of the U.S.-Jamaica Child Protection Compact, also developed a child trafficking screening toolkit, a set of screening tools to outline behavioral, situational, and health factors that indicate a child is being exploited. (2) Throughout 2020, sponsored and hosted various public awareness campaigns, including virtual public discussions on the worst forms of child labor with the Jamaica Constabulary Force and MLSS; radio discussion on child protection during the pandemic; social media discussion on how to safeguard children against human trafficking with CPFSA; annual essay competition for World Day Against Child Labor; and a video competition, focused on human trafficking for Children's Month. (2)
National Steering Committee on Child Labor	Provides leadership, shares information, and guides the development of policies and programs geared towards eliminating the worst forms of child labor. (38) Coordinates the government's design and implementation of activities and regulations to reduce child labor under the National Action Plan (NAP) to Eliminate Child Labor. In January 2020, reviewed and revised the NAP to Eliminate Child Labor in Jamaica (2019–2024). (44,45)

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. Accordingly, Jamaica lacks an effective agency to coordinate efforts to address the challenges posed by child labor, human trafficking, and other child-related issues. (14)

## 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 fact that child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Human Trafficking (2018–2021)	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. (20) Approved an updated National Plan of Action to Combat Human Trafficking (2018–2021) in cabinet on March 28, 2019, which is intended to address all forms of trafficking in persons and all potential victims, including victims of sex trafficking and forced labor; foreign-born and domestic victims, and children and adults. (8) In 2020, to raise public awareness, hosted 3 webinars on human trafficking and child labor, with over 40 persons attending each; made public service announcements on Radio Jamaica and other stations; and hosted a social media video competition for children under age 13. Collaborated with VP Records to raise awareness on human trafficking by launching the “No Shadows After Dark” song and campaign. (38) Further hosted 3 webinars on modern slavery and child trafficking for over 50 immigration officers, and partnered with the Sir Arthur Lewis Institute for Social and Economic Studies (SALISES) to host 4 child trafficking prevention workshops for over 90 Deans of Discipline and 30 Education Officers with schools. In addition, engaged with SALISES to facilitate 7 virtual child trafficking prevention workshops to over 230 Health and Family Life Education Officers and teachers who were tasked with delivering the content of the Ministry's Child Trafficking Prevention curriculum in schools. (38)

In 2020, Jamaica became the first country in the Caribbean to implement the Child Labor Risk Identification (CLRISK) Model, a preventative tool developed by the ILO and the Economic Commission for Latin America and the Caribbean. The CLRISK Model will enable Jamaica to identify geographical areas and sectors with the highest probability of child labor and to implement measures to address child labor. (2,46)

In November 2019, the government established a National Plan of Action for an Integrated Response to Children and Violence (NPACV), which outlines a range of strategies and programs that will be implemented over 5 years across multiple stages in a child's life. The NPACV is implemented, monitored, and evaluated by an Inter-Sectoral Committee on Children and Violence. (5) However, child labor prevention and elimination strategies are still not integrated into the Compulsory Education Policy. (9,47)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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)†	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. (8,47,48) Approximately 65 percent of PATH participants are within the lowest socioeconomic quintile. (38) 214,999 children participated in PATH during the reporting period. (38)
Citizen Security and Justice Program†	Cooperative crime and violence prevention initiative undertaken by 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. Aimed to prevent gangs, criminals, and other actors from recruiting children. Provided services to 50 vulnerable communities in 8 different parishes. (14) Ended in March 2020. (5)
Trafficking in Persons Club in School Program†	Launched by NATFATIP in October 2019 and implemented by the Ministry of National Security, the program is designed to provide information, exposure, and knowledge to students and teachers regarding child trafficking to help protect them from becoming victims. (8) In 2020, hosted 3 virtual events on human trafficking and child labor, with over 40 members of the public attending each event. (38)
Regional Initiative Latin America and the Caribbean Free of Child Labor (2022-2025)	Developed as an inter-governmental cooperation platform made up of 30 countries, with active participation of employers' and workers' organizations. Seeks to declare Latin America and the Caribbean as the first developing region free of child labor by 2025. Drawing on the knowledge, experience, and accumulated capacity of key public and private actors, aims to address the persistence of child work. In October 2020, organized a virtual conference to discuss plans for 2022–2025, update its governance mechanisms, and work to improve participant ownership and social dialogue. (49)
U.S.-Jamaica Child Protection Compact Partnership (2018–2022)	Jointly developed 4-year plan partially funded by the U.S. Government to enhance the efforts of the Government of Jamaica to combat child trafficking. Finalized in 2018. Commits Jamaica to providing staff and resources to fulfill the project's objectives. (1) Formally launched in 2019 with implementing partners Warnath, Winrock, IOM, and Encompass, and began activities and training across the island. (8) In 2020, as part of this plan, launched a Trafficking in Persons Resource Library. (50) Moreover, U.S. and Jamaica representatives met to define next steps to strengthen capacity to identify more child trafficking victims and to better coordinate comprehensive protective services. (51)

† 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. (52-55)

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. (14) 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 – 2020
	Raise the minimum age for work to align with the compulsory education age of 16.	2018 – 2020
	Pass legislation that will determine the specific light work activities and hours permissible for children ages 13 and 14 to facilitate enforcement.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Authorize the labor inspectorate to assess penalties.	2014 – 2020
	Ensure that yearly refresher training is mandatory for all labor inspectors.	2018 – 2020
	Publish information on the number of child labor violations for which penalties were imposed and collected.	2018 – 2020
	Provide training for prosecutors on a yearly or regular basis, as training is currently provided on an ad hoc basis.	2020
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 between child labor, human trafficking, and other child-related issues.	2018 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the Compulsory Education Policy.	2014 – 2020
Social Programs	Ensure that school costs, such as uniforms, books, food, and transportation, do not diminish access to free public education.	2017 – 2020
	Ensure that social programs adequately address child labor, including the worst forms of child labor, and expand programs designed to assist child laborers involved in street work, commercial sexual exploitation, agricultural work, and other worst forms of child labor.	2013 – 2020
	Implement a program to report, identify, and find missing children who may have been forced into child labor.	2020

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In 2020, Jordan made moderate advancement in efforts to eliminate the worst forms of child labor. In 2020, for the first time, the Ministry of Labor conducted 850 targeted child labor inspections in the agricultural sector throughout the country. It also developed a new website and mobile phone application that, once operational, will allow the public to report cases of child labor, which will then be logged into the National Child Labor Database. In addition, the Minister of Labor launched the Program to End the Worst Forms of Child Labor in Zarqa and Amman. However, children in Jordan are subjected to 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 agriculture. Insufficient resources hampered the Ministry of Labor’s capacity to ensure compliance with child labor laws in the agricultural sector. Moreover, and despite government efforts, Syrian children still face barriers to accessing education due to socioeconomic pressures, bullying, and the costs associated with transportation and supplies, among other issues. In addition, research was unable to determine whether criminal law enforcement agencies in Jordan conducted investigations on cases related to the worst forms of child labor despite evidence of these worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Jordan are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-8) Children also perform dangerous tasks in agriculture. (9,10) 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. (9) Boys constitute nearly 90 percent of those involved in child labor. (9) Table 1 provides key indicators on children’s work and education in Jordan.

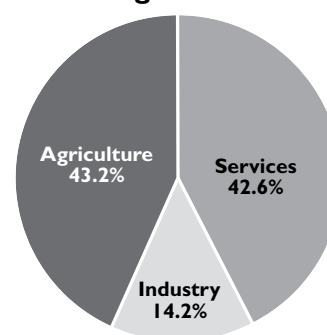
**Table 1. Statistics on Children’s Work and Education**

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 (%)		81.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (11)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (SIMPOC), 2016. (12)

**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 (9,10,13-18)
Industry	Mining† and quarrying† (9)
	Construction,† including building and painting homes (9,10,18-20)
	Manufacturing, activities unknown (9,21)



## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Carpentry† (19,20)
	Blacksmithing† (19)
Services	Maintenance and repair of motor vehicles† (9,13,18,20,21)
	Attending to donkeys, camels, and horses to transport tourists (22)
	Street work,† including selling items, washing cars, and begging (13,19-21,23)
	Scavenging scrap metal and waste (24,25)
	Domestic work† (13,21)
	Food services, including working in restaurants and bakeries (9,13,19,21)
	Hotel services† (9,21)
	Working in retail, including cleaning shops (9,15,26)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including drug trafficking (27,28)
	Forced begging, sometimes as a result of human trafficking (1,3,4,23)
	Commercial sexual exploitation, sometimes as a result of human trafficking (5-8)

† 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.

In 2020, the Covid-19 pandemic created additional barriers to education in Jordan. (28) While the government created distance-learning tools for students to continue their education from home, such as an online education portal and educational television channels, a lack of access to Internet and devices prevented many students from taking advantage of these resources during school shutdowns. (28) In addition, decreases in income caused some parents to move their children from private schools to public schools. The Ministry of Education reported 120,000 new enrollments in 2020, putting further strain on a taxed system. (28)

Syrian refugee children also face barriers to education in Jordan. While Syrian children are granted access to Jordanian public schools, UNICEF estimates more than 50,000 Syrian refugee children were out of school as of December 2020. (29) UNICEF also notes that Syrian refugee children drop out of school at a higher rate than Jordanian children do. (29) These children face barriers to education, including bullying and harassment, and the costs of transportation, uniforms, and school materials. In addition, they are unprepared for their appropriate grade level because of interruptions in their early years of schooling. (10,30,31) Sources indicate that Syrian refugee children are sometimes forced to work alongside their families in agriculture and service industries, as well as being forced to peddle goods and beg, rather than attending school. (4,18)




In previous years, Jordan waived a requirement for documentation to expand access to education for Syrian children. However, the government opted not to extend the waiver for the 2019–2020 academic year despite some refugee families not having valid documentation. (32,33) The government continued to address the overcrowding of classrooms by providing school attendance in double-shift schools, while schools were open. (2,34,35) At these double-shift schools, Jordanian children attend in the morning and Syrian children attend in the afternoon. (3,36) However, Jordanian and Syrian children attending double-shift schools are vulnerable to child labor because the school hours are considerably shorter, and fewer school hours leave more time for work. (37)

Non-Syrian refugees in Jordan, primarily from Iraq, Yemen, Sudan, and Somalia, also face barriers to education due to the lack of documentation. (28)

## 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.

**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 (38)
Minimum Age for Hazardous Work	Yes	18	Article 74 of the Labor Code; Article 2 of the Ministerial Order of 2011 (38,39)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 2 of the Ministerial Order of 2011 (39)
Prohibition of Forced Labor	No		Articles 3(a)-(b) of the Law on the Prevention of Human Trafficking (40)
Prohibition of Child Trafficking	Yes		Articles 3(a), 8-11 of the Law on the Prevention of Human Trafficking (40)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 298–299, 306, 310–311, 315, and 319 of the Penal Code; Articles 3(a)-(b) of the Law on the Prevention of Human Trafficking (40,41)
Prohibition of Using Children in Illicit Activities	Yes		Article 8 of the Narcotic Drugs and Psychotropic Substances Act (42)
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 (43)
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 (44)
Free Public Education	Yes		Article 10(a) of the Education Act; Article 20 of the Constitution (44,45)

\* No volunteers are accepted to join the armed forces. (46,47)

Jordan's Law on the Prevention of Human Trafficking criminalizes trafficking for the purposes of forced labor; however, the law does not criminally prohibit forced labor as its own offense when the other elements of human trafficking are not present. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**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, website, and mobile app to receive labor-related complaints, including complaints of child labor. (24,28) 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 speak foreign languages were not always available. The hotline has an automated message recording after 3 p.m. (46,49) The phone number is difficult to locate and, based on available information, operators rarely respond to voicemails left after working hours. (46,49) In 2020, MOL developed a new website and mobile app that allows the public to report cases of child labor, which are then logged in the National Child Labor Database. However, the app had not launched by the end of the reporting period. (28)
MOL Child Labor Unit	Coordinates government efforts to campaign against child labor, conducts training, and raises awareness about child labor issues. (3) Manages the Child Labor Monitoring System, a case management tool that helps coordinate efforts by relevant government agencies and civil society organizations to ensure that children are removed from child labor and provided with critical social and educational services. (2)
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. (24)
Joint Anti-Trafficking Unit of MOL and the 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 to repatriate workers. (2)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Jordan took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including an insufficient number of inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$422,715 (50)	\$353,000 (28)
Number of Labor Inspectors	171 (2)	136 (28)
Inspectorate Authorized to Assess Penalties	Yes (38)	Yes (38)
Initial Training for New Labor Inspectors	Yes (2)	Yes (28)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (2)	Yes (28)
Number of Labor Inspections Conducted	63,653 (2)	90,723 (18)
Number Conducted at Worksite	63,653 (2)	5,402 (28)
Number of Child Labor Violations Found	467 (2)	503 (18)
Number of Child Labor Violations for Which Penalties Were Imposed	250 (2)	79 (18)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	Unknown
Routine Inspections Conducted	Yes (2)	Yes (18)
Routine Inspections Targeted	Yes (2)	Yes (18)
Unannounced Inspections Permitted	Yes (2)	Yes (18)
Unannounced Inspections Conducted	Yes (2)	Yes (28)
Complaint Mechanism Exists	Yes (2)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (2)

When a labor inspector identifies a child laborer, the inspector issues a warning and may issue a fine, and asks the employer to send the child home while the inspector is still present. (37) The inspector also enters the child's information into the child labor database. (28) A warning requires the employer to sign a pledge declaring that they will cease employing children. Without the pledge, MOL can close the business. (3) The information about the child is then shared with the Ministry of Social Development (MOSD), 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. (37) MOL and MOSD may also

conduct a joint visit. (28) Jordanian children identified during labor inspections are referred to the Child Labor Unit of MOSD, and those suspected of being trafficked are referred to the Counter Trafficking Unit for criminal investigation. (28,37,52)

In 2020, MOL conducted 90,723 inspections, 11,952 of which focused on child labor. (18) In December 2020, for the first time, MOL conducted 850 targeted child labor inspections in the agricultural sector throughout the country. (28) However, the high number of inspections per inspector raises concerns that inspectors may not have the time to adequately identify and remediate labor law violations. In addition, the current number of labor inspectors is likely insufficient for the size of Jordan's workforce, which includes more than 2.295 million workers. (28,53) 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. (54)

The government did not provide information on the number of child labor penalties that were collected for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Jordan 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 a lack of investigations into the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

<b>Overview of Criminal Law Enforcement</b>	<b>2019</b>	<b>2020</b>
Initial Training for New Criminal Investigators	Yes (55)	Yes (28)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (55)	Yes (28)
Number of Investigations	0 (55)	Unknown
Number of Violations Found	0 (55)	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	No (55)	Unknown (28)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (28)

In 2020, the Counter Trafficking Unit (CTU) worked with civil society organizations and NGOs to conduct 10 human trafficking workshops. CTU also held 31 lectures and 6 seminars for law enforcement, judges, public prosecutors, and relevant ministries to raise awareness on human trafficking indicators. (18) In addition, the Public Security Directorate conducted 18 awareness-raising sessions on trafficking of children and 22 sessions on child street begging and child trafficking. (28)

During the reporting period, CTU investigated 23 human trafficking cases involving 40 offenders and 25 victims. Of the victims identified, one was a child. (18) However, research was unable to determine whether criminal law enforcement agencies in Jordan conducted investigations on cases related to the worst forms of child labor, including forced begging or commercial sexual exploitation of children, despite evidence of these worst forms of child labor. (3,5,7,18)

In October 2020, MOSD along with the Public Security Directorate launched an anti-vagrancy campaign to combat the increasing problem of begging, including by children. (23) As of November 2020, MOSD reported 1,248 children had been referred to social services as part of the enforcement effort. (56) In addition, prosecutions for 21 individual traffickers resulted from the campaign. (57)

## 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 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. (58) The National Committee on Child Labor did not meet during the reporting period and has been inactive for several years. (57)
National Committee to Combat Trafficking (NCCT)	Coordinates government efforts to combat human trafficking, and chaired by the Ministry of Justice. Other members include representatives from 10 state agencies, including the Counter Trafficking Unit (CTU), which is in charge of human trafficking investigations. (59) CTU is operated jointly by the Public Security Directorate and MOL. (46) NCCT met in September 2020 and meets on an ad hoc basis. (18)

In 2020, MOL, with input from UNICEF, developed standard operating procedures defining the roles of MOL, the Ministry of Education, MOSD, and the Juvenile Police Department in combating child labor. (28) In addition, MOL, MOSD, and the Greater Amman Municipality signed an agreement to collaborate on eliminating child labor in Amman's Central Market. (28)

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. (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 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 Ministry of Social Development (MOSD) and the Ministry of Education for the provision of services. (61) In 2020, MOSD and Juvenile Police worked on developing standard operating procedures in line with the National Framework. (62)
Jordan Response Plan for the Syria Crisis (2018–2022)	Integrates a refugee-oriented humanitarian response with a strategic plan for increasing the resilience of local communities. The plan has a particular focus on economic strengthening, education, and social protection. (63) In 2020, the government continued to offer double-shifted schools for Syrian refugee children and updated the response plan, extending it to 2022. (18,28)
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 age 16 and older, and inform students about high-quality employment in the tourism sector. (64) The government has yet to implement the plan since passing it in 2015.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
MOSD Child Labor Unit‡	Provides support to 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. (65) Provides services to children engaged in child begging through centers in Madaba and Delail (Zarqa). (49) Active in 2020. (28)
National Aid Fund†	Overseen by MOSD, the Fund pays families through a conditional cash transfer program to withdraw their child from the labor market and re-enroll them in school. (24) In 2020, the government continued expanding the number of households receiving aid. (66)
Non-Formal Education Centers	Funded by USAID and UNICEF, and operated by the Ministry of Education and local NGO Questscope, these 40 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. (37,67) Targets children age 13 and older who have been out of school for 3 years and are ineligible to enroll in public schools. (68) Upon completion of the curriculum, students receive a certificate indicating the equivalency of grade 10 education. (67) Active in 2020. (68)
Program to End the Worst Forms of Child Labor in Zarqa and Amman*	Funded by UNICEF, implemented by the Rowad al Khair Society and with the participation of MOL, this program aims to identify 400 of the most vulnerable children in Zarqa and Amman to receive psychosocial support, access to education, and other training to reduce the number of children subjected to the worst forms of child labor. Launched in 2020. (69)
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)	USDOL-funded global 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. (70) In Jordan, the project strengthens the government's ability to address child labor, especially in communities most affected by the Syrian refugee crisis, including updating relevant policies and programs. The project also carries out limited research on the nature of child labor in agriculture. On December 14, 2020, a regional conference was held with attendees from Egypt, Jordan, Lebanon, Morocco, Syria, and others to exchange good practices on combating child labor in the Middle East and North Africa. (71) Additional information is available on the USDOL <a href="#">website</a> .

\* 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. (24,28,72)

Although Jordan has programs that target child labor, the scope of these programs does not fully address the extent of the problem, including the worst forms of child labor 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 – 2020
	Ensure that the law criminalizes forced labor as its own offense.	2019 – 2020
Enforcement	Improve the quality of the Ministry of Labor's hotline by making it easier to locate, ensuring that operators, including those who speak foreign languages, are available outside of business hours, and all messages are addressed.	2018 – 2020
	Publish the number of labor law penalties imposed that were collected.	2015 – 2020
	Increase the number of labor inspectors to meet the ILO technical advice.	2020
	Ensure that criminal investigations are conducted on the worst forms of child labor, including forced begging and the commercial sexual exploitation of children.	2015 – 2020
	Publish information on criminal law enforcement efforts, including the number of investigators, violations, prosecutions, and convictions.	2019 – 2020
	Ensure that the number of inspections conducted per labor inspector affords inspectors enough time to adequately identify and remediate labor law violations.	2019 – 2020
Coordination	Ensure that the National Committee on Child Labor functions and is able to carry out its mandate.	2017 – 2020
	Establish coordinating mechanisms to combat all worst forms of child labor and other forms of child labor, including street and farm work.	2018 – 2020

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Government Policies	Implement the Plan of Action to Eliminate Child Labor in Tourism in Petra.	2018 – 2020
Social Programs	Continue to expand access to education for all children including Syrian and non-Syrian refugees, including ensuring students have transportation, are able to purchase supplies and uniforms, extending school hours, and students are not bullied or harassed.	2013 – 2020
	Ensure that Syrian refugees without documentation may enroll in school.	2020
	Institute programs to address the worst forms of child labor in agriculture, construction, and street vending.	2013 – 2020

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In 2020, Kazakhstan made moderate advancement in efforts to eliminate the worst forms of child labor. The government approved additional funding for increasing the number of shelters for victims of human trafficking, including child victims, improved the bidding process through which shelter providers apply for government funding, and extended funding awards from 1 to 3 years. In addition, the Ministry of Labor and Social Protection added forced labor indicators to labor inspection checklists, and updated labor inspectors' job descriptions to include detection and referral of potential forced labor cases to law enforcement.



However, children in Kazakhstan are subjected to 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 markets. The government lacks current, comprehensive, and detailed research on child labor, including in cotton production. In addition, labor inspections of small enterprises are permitted only in cases that pose a mass threat to life and health, law and social order, or national security.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kazakhstan are subjected to 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 markets. (1-5) Table I provides key indicators on children's work and education in Kazakhstan.

**Table I. 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 (%)		102.0

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 2006. (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 vegetables, weeding, and harvesting cotton† (2,3,8-11)
Industry	Construction,† activities unknown (3,12)
Services	Working in markets and on the streets, including transporting and selling items (2-5,10,13)
	Domestic work, including child care (3,12,14)
	Working in gas stations (10)
	Car washing (5,10,13)
	Working in restaurants† as waiters (5,10,13,15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,10)
	Forced begging, sometimes as a result of human trafficking (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.

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, including in agriculture, the nature of their work, or the hazards involved. (5)

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Migrant children from the Kyrgyz Republic, some of whom may be unaccompanied, might engage in work in Kazakhstan. (3) Working migrant children are often unable to work legally, limiting their entitlement to work protections. Although migrant children who are above the minimum working age theoretically have the right to a legal work permit, in practice, many are unable to obtain such a permit because they do not list "work" as their purpose for visiting the country when entering Kazakhstan. (3,16) Fear, corruption, and discrimination against migrants can also prevent migrant children from the Kyrgyz Republic from obtaining legal work permits. Kyrgyzstani migrant children over age 16 who are in irregular migration status are vulnerable to administrative fines, arrest, and detention with adults. (3)

Migration authorities sometimes register migrant children under age 16 as unnamed family members, rather than under their own names, which prevents them from receiving Kazakhstani identification documents. (17,18) Some of these undocumented migrant children fall victim to forced child labor and commercial sexual exploitation in Kazakhstan. (3,9) Although Kazakhstan guarantees free education regardless of migration status, migrant children face barriers to accessing education. Some school officials refuse to enroll students who lack Kazakhstani identification documents, and many parents of undocumented children lack awareness of their right to appeal such decisions to regional education officials. (3,17) Landlords often do not register migrant tenants, which prevents migrant children from enrolling in local schools. (18) In 2020, the COVID-19 pandemic further exacerbated barriers to migrant children's education. Reports indicate that some migrants in Kazakhstan who were awaiting return to their home countries did not enroll their children for school. (5) In addition, limited access to internet and other infrastructure impeded the ability of migrant, refugee, and internally displaced children to access distance learning and education resources while in-person schooling was suspended. (5)



Reports also suggest that the pandemic increased children's vulnerability to child labor in Kazakhstan's 2020 cotton harvest. In 2020, children were identified in eight cotton fields in Turkestan province, a region the government has identified as having a high risk of child labor in cotton picking. (9,11) In one field, journalists noted approximately 10 children ages 10 to 16 who joined parents and other family members to work in the harvest. (5,11) Parents cited challenges related to distance learning and lack of childcare options as reasons for bringing children to the fields. (11) The Turkestan provincial government registered three cases of child labor in the cotton harvest in Zhetysayskiy district; in all three cases, both the employers and parents of these children received official warnings. (11)

Children with disabilities in Kazakhstan face challenges accessing education due to inaccessible school buildings, a lack of specialists able to provide inclusive education services, and official disability evaluations that render children eligible for at-home education only or ineligible for education entirely. (18,19) Children with disabilities who live in specialized, closed-care institutions may be compelled to assist caregivers in feeding, changing diapers, bathing, and dressing younger children. (14) Disabled children who are unable to access mainstream or inclusive education are at greater risk of being sent to such state institutions. (19)

## 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	✓



**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 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	18	Articles 31 and 69 of the Labor Code (16)
Minimum Age for Hazardous Work	No	18	Article 26.1(2) of the Labor Code; Article 153 of the Criminal Code (16,20)
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 (16,21)
Prohibition of Forced Labor	Yes		Article 7 of the Labor Code; Articles 3, 128, and 135 of the Criminal Code (16,20)
Prohibition of Child Trafficking	Yes		Article 135 of the Criminal Code (20)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 134, 135 and 312 of the Criminal Code (20)
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 (16,20)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 38.1(2) of the Military Service Act (22)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31 of the Military Service Act (22)
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 (20,23)
Compulsory Education Age	Yes	17‡	Article 30 of the Constitution; Articles 12 and 30 of the Law on Education (24,25)
Free Public Education	Yes		Article 30 of the Constitution (24)

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

The Labor Code's protections, including the minimum age for employment and prohibitions on hazardous work, do not meet international standards because they do not cover children without a written work contract. (16) In addition, although Article 69 of the Labor Code establishes caps on the maximum number of hours children ages 14 to 16 or 16 to 18 may work in a week, the law does not determine the activities or conditions in which children may engage in light work. (16)

Article 134 of the Criminal Code of the Republic of Kazakhstan criminalizes involving a minor in prostitution, and Article 135 of the Criminal Code criminalizes trafficking of minors, including for the purpose of sexual exploitation. However, no law clearly criminalizes the users (clients) of prostitution involving children. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Protection (MLSP)	Enforces child labor laws and conducts labor inspections through the Ministry's Committee on Labor, Social Protection and Migration. Implements the special social service program that funds shelters for victims of human trafficking, including child victims. (5)
Ministry of Education and Science	Coordinates child protection activities, including response to child labor complaints. (5) An official from the regional-level Department of Education responds to reports of child labor and determines whether law enforcement should investigate the case. (28) 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. (28)
Ministry of Internal Affairs (MOIA)	Through the Anti-Trafficking Unit, identifies and carries out initial investigation of criminal cases of the worst forms of child labor and hazardous child labor. Engages in identification and protection of human trafficking victims, including child victims. (5)
Prosecutor General's Office	Provides oversight of police operations related to child labor crimes to ensure compliance with all relevant protocols and legal requirements. (5)
Child Protection Hotlines	Receive reports of illegal child labor. There are three hotlines, one run by the Ministry of Education and Science's Child Protection Committee, one run by the Ombudsman for Children's Rights, and one run by a local NGO. (10)

The Government of Kazakhstan maintains mobile squads in all regions of the country to monitor and respond to child labor violations. These squads consist of internal affairs officers, officials from local administrations, state labor inspectors, health professionals, youth workers, and psychologists. (29)

### Labor Law Enforcement

In 2020, 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 (MLSP) 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	2019	2020
Labor Inspectorate Funding	Unknown	\$3.1 million (1.3 billion KZT) (5)
Number of Labor Inspectors	254 (30)	274 (5)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (16,31)
Initial Training for New Labor Inspectors	Yes (10)	Yes (5)
Training on New Laws Related to Child Labor	Yes (10)	N/A
Refresher Courses Provided	Yes (10)	Yes (5)
Number of Labor Inspections Conducted	9,522 (30)	3,982 (5)
Number Conducted at Worksite	228 (30)	228 (5)
Number of Child Labor Violations Found	5 (30)	5 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	4 (30)	5 (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	5 (5)
Routine Inspections Conducted	Yes (30)	Yes (5)
Routine Inspections Targeted	Yes (30)	Yes (5)
Unannounced Inspections Permitted	Yes (29)	Yes (29,32)
Unannounced Inspections Conducted	Yes (30)	Yes (5)
Complaint Mechanism Exists	Yes (10)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (5)

On January 1, 2020, a moratorium on labor inspections in small enterprises went into effect. Under this moratorium, an inspection can only occur at a small enterprise in cases that pose a mass threat to life and health, law and social order, or national security. (33,34) Small enterprises include businesses with fewer than 100 employees and average revenue below a government-determined threshold. (32)

Moreover, labor inspectors generally must notify entities prior to an inspection unless the Entrepreneurial Code provides for an exception to this notice requirement. (32) Labor inspectors from the MLSP are empowered to conduct unplanned inspections on the basis of complaints, which are only considered valid if they are not anonymous. These notice requirements limit inspectors' ability to check that working conditions comply with national labor laws, including those related to child labor. (5,32) Labor inspectors are also authorized to conduct unannounced inspections of businesses on the basis of requests from law enforcement agencies, in response to complaints related to certain extreme health and safety hazards, and in cases in which the worksite is in a remote location. (5,32) In addition, labor inspectors can conduct routine inspections on the basis of risk-assessment reports. (32)

During the reporting period, labor inspectors conducted 93 routine inspections based on risk-assessment reports and 3,889 inspections in response to complaints. Inspectors identified five child labor violations involving children who were working without employment agreements in markets, car wash and repair stations, and cafes. (5)

The government also conducts raids to detect child labor violations during annual, inter-ministerial campaigns to raise awareness about, detect, and combat child labor. These campaigns are widely publicized, limited in duration, and occur at approximately the same time each year. (5) As a result, the raids conducted during these campaigns may fail to adequately detect child labor in seasonal agriculture or at businesses that conceal violations in anticipation of these high-profile campaigns. From June 1 to 12, 2020, the Ministry of Education and Science cooperated with other government agencies and NGOs to conduct 5,714 raids to detect child labor as part of the government's annual "Twelve Days Against Child Labor" campaign. (5) Raids were targeted at locations at high risk for child labor, including markets, gas stations, and construction sites. (5) As a result of these checks, 34 children, some of whom may have been engaged in child labor, were found working in violation of labor legislation; the government reported that the majority of violations involved the absence of a labor contract. (5) The Ministry of Education and Science also worked with police, other government agencies, and NGOs to conduct child welfare checks as part of the "Children at Nighttime" campaign, which was conducted in the second quarter of 2020. The government identified 18 working children through these checks who may have been engaged in child labor. (5) Seven children were working as waiters or bus conductors, eight were working at car washes, and three were vending at markets. The government reported that only 10 of these children were working with an employment contract. (5) Information was not available on the number of child labor violations referred to the labor inspectorate because of the "Twelve Days Against Child Labor" and "Children at Nighttime" campaigns.

In 2020, the MLSP updated labor inspectors' job descriptions to include responsibility for referring potential forced labor cases to law enforcement and worked with the Ministry of Economy to add forced labor indicators to labor inspectors' checklists. (35) In addition, 96 labor inspectors received recertification training. (5) However, the number of labor inspectors is likely insufficient for the size of Kazakhstan's workforce, which includes more than 8.97 million workers. (36) 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 labor inspectors. (37,38)

### **Criminal Law Enforcement**

In 2020, 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 allocating human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (10)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	N/A
Refresher Courses Provided	Yes (10)	Yes (5)

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

Overview of Criminal Law Enforcement	2019	2020
Number of Investigations	10 (10)	19 (5)
Number of Violations Found	10 (10)	19 (5)
Number of Prosecutions Initiated	5 (30)	4 (5)
Number of Convictions	1 (30)	3 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (30)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (5)

The Ministry of Internal Affairs (MOIA) employs 42 operational officers who work specifically on trafficking in persons, including cases involving minors. However, reports indicated that this number of officers may be insufficient to adequately enforce criminal prohibitions against the worst forms of child labor in Kazakhstan. (5) In 2020, the government trained 168 police officers on identification of victims of trafficking, including child victims. (5) In addition, 252 officials, including law enforcement, judges, and labor inspectors, received training on investigating, prosecuting, and adjudicating forced labor cases. The Law Enforcement Academy of the Prosecutor General's Office also developed a video course on human trafficking for use in training newly employed law enforcement officers. (35)

During the reporting period, the MOIA investigated 19 cases related to the worst forms of child labor. All of these cases involved violations related to the commercial sexual exploitation of children, including 5 cases initiated based on prohibitions in Criminal Code Article 134, engagement of minors in prostitution; 4 cases based on Criminal Code Article 312, engagement of minors into pornographic activities; and 10 cases based on Criminal Code Article 135, trafficking in minors for the purpose of sexual exploitation. (5) Three of the investigations into cases involving children in prostitution were newly initiated in 2020. (35) The government prosecuted four cases involving the worst forms of child labor, three of which concluded in convictions in 2020. (5) In one of these cases, the perpetrator was found guilty of involving a minor into prostitution under Criminal Code Article 134. In the other two cases, the perpetrators were found guilty of trafficking in minors for the purpose of sexual exploitation under Criminal Code Article 135. (5) Sentences in all three of these cases ranged from 5 to 12 years in prison. (5)

All children identified in the worst forms of child labor in 2020 were removed from the exploitative situation and referred to NGOs and government-run shelters for social services and other assistance. (5) The MOIA also signed new memoranda of cooperation between 18 anti-trafficking NGOs and local police departments in 3 cities and 10 districts to enhance referral procedures and victim protection. (35) Sources reported a high level of overall cooperation between NGOs, social workers, and local police to address and assist child victims. (5,35)

## 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 Coordination Council on Combating the Worst Forms of Child Labor	Implements the National Action Plan (NAP) for the Elimination of the Worst Forms of Child Labor 2020–2022. (39) Chaired by MLSP. Although the Coordination Council did not meet in 2020, it convened in January 2021 to discuss the results of the 2020 NAP implementation efforts. (5)
Inter-Agency Commission on Combating Trafficking in Persons	Coordinates efforts to combat human trafficking and recommends improvements to anti-human trafficking legislation, prevention strategies, protection of victims, and the prosecution of offenders. (35) Chaired by MOIA and MLSP on a 2-year rotational basis. Its members include state bodies, international organizations, and NGOs. (35) In 2020, convened two meetings to coordinate implementation of the Trafficking in Persons National Action Plan (TIP NAP) for 2017–2020, and to draft a new TIP NAP for 2021–2023. Due to the pandemic, both of these meetings were convened virtually. (35,40)

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

Coordinating Body	Role & Description
Special Working Group on Trafficking in Persons	Coordinates government action to respond to recommendations from the international community on improving efforts to combat trafficking in persons and labor exploitation. Led by MOIA and includes the Prosecutor General's Office, MLSP, the Supreme Court, and the Ministry of Foreign Affairs. (41) In 2020, this group met regularly to coordinate planned actions to implement international recommendations on combating trafficking in persons, including proposed legal reform projects to align laws with international standards and enhance protection for trafficking victims. (42)
Committee for the Protection of Children's Rights	Works to protect children from exploitation. Operates under the Ministry of Education and Science at province-level departments of education. (10) In 2020, the Committee for the Protection of Children's Rights published survey research on the status of children's rights in Kazakhstan. The study's module on children's economic rights included an assessment of children's vulnerability to economic exploitation, including child labor. (43)
Children's Rights Ombudsman	Monitors observance of the rights of children. Receives and responds to complaints about violations of children's rights and drafts annual reports on children's rights. (44) This coordinating mechanism was active in 2020 and published its annual report on the status of children's rights over the previous calendar year. (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
National Action Plan for the Elimination of the Worst Forms of Child Labor (2020–2022)	Addresses three priority areas, including (a) the creation of policies and laws to combat the worst forms of child labor; (b) the creation of programs to monitor vulnerable communities and sectors with the highest risk of child labor, and provide services to children who have been exploited in child labor; (c) raising awareness about the worst forms of child labor. (39) The government undertook a range of activities to implement this plan during the reporting period, including through awareness-raising campaigns about child labor and efforts to enhance local provision of services to vulnerable children. (45)
National Action Plan to Counter Trafficking in Persons (2018–2020)	Addressed several priority areas, including (a) prevention of forced child labor in the cotton and construction sectors; (b) exchange of information among government agencies on human trafficking and child pornography; (c) research on the worst forms of child labor and the provision of recommendations; and (d) raising of awareness of human trafficking among children. (28,46) The Inter-Agency Commission on Combating Trafficking in Persons oversaw this plan's final year of implementation in 2020. (5)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (5,47)

In 2020, the Inter-Agency Commission on Combating Human Trafficking drafted a new National Action Plan to Counter Trafficking in Persons (2021–2023), which the Prime Minister formally approved and adopted in early 2021. (35,48,49)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Juvenile Care Centers‡	Ministry of Education and Science (MOES)-run centers for minors located throughout Kazakhstan. Provide temporary shelter and assistance to vulnerable children, including child victims of the worst forms of child labor, and street children. (5,35) Undergoing restructuring to improve supportive services and ensure appropriate referrals for further assistance. In 2020, MOES continued to provide retraining and professional development for staff as part of restructuring at these centers. (5,35)



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

Program	Description
Shelters for Trafficking Victims†	Funded by the government and operated by NGOs, provide legal, psychological, medical, and educational services to victims of human trafficking, including child victims, in seven provinces and two cities, including Almaty. (1,35) In 2020, the government approved additional funding to open new shelters in 17 areas of the country in 2021. The government also improved the bidding process through which funding is allocated to shelter providers to ensure that the highest-quality providers, rather than the most inexpensive, are awarded funding contracts, and it increased the length of awards to from 1 to 3 years. (35)
Awareness-Raising Campaigns‡	Raise public awareness on child labor issues. (5) In 2020, MOES, with the cooperation of other agencies, implemented the annual "Twelve Days Against Child Labor" campaign, which included thousands of social media posts and online events to raise awareness about child labor and child assistance hotlines. (5)

† 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. (50)

Although the Government of Kazakhstan implemented programs in 2020 to protect vulnerable children and raise awareness about child labor, research found no evidence that it has carried out programs to assist children engaged in child labor in services 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 Kazakhstan (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that minimum age provisions and hazardous work prohibitions apply to all children, including those working without an employment contract.	2016 – 2020
	Criminally prohibit and penalize the use of a child for prostitution.	2019 – 2020
	Ensure that the law's light work provisions specify the activities and conditions in which children may engage in light work.	2020
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice.	2014 – 2020
	Lift the moratorium on labor inspections at small enterprises and ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections at such businesses as appropriate.	2020
	Strengthen the labor inspection system by eliminating barriers to unannounced onsite inspections.	2020
	Strengthen detection of child labor by ensuring that targeted enforcement efforts, such as raids or labor inspections, are undertaken throughout the year and in all sectors in which children are vulnerable to child labor.	2020
	Increase the number of human trafficking-focused law enforcement officers to ensure adequate enforcement of criminal prohibitions against the worst forms of child labor.	2019 – 2020
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in agriculture, in construction, and in services, to inform policies and programs.	2013 – 2020
	Ensure that all children have access to education, including children with irregular migration status and children with disabilities, and raise awareness in vulnerable communities about existing remedies for denial of school enrollment.	2018 – 2020
	Institute programs to address child labor, particularly in the agriculture and service sectors.	2014 – 2020

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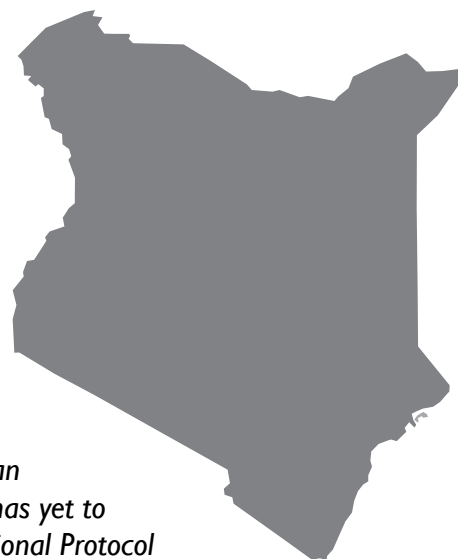
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In 2020, Kenya made moderate advancement in efforts to eliminate the worst forms of child labor. The government took measures to reinvigorate its National Steering Committee on Child Labor, including by creating and convening the inaugural meeting of a Technical Working Committee, reinstated county-level child labor committees, and increased the number of prosecutions for worst forms of child labor. In addition, the government enacted the National Prevention and Response Plan on Violence Against Children to coordinate multi-sectoral activity to address violence against children, including commercial sexual exploitation and other worst forms of child labor. However, children in Kenya are subjected to the worst forms of child labor, including in domestic service and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture. Kenya has yet to ratify the United Nations Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, the government lacks a sufficient number of labor inspectors and financial resources to ensure that child labor laws are enforced.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kenya are subjected to the worst forms of child labor, including in domestic service and commercial sexual exploitation, each 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.

**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 (%)		99.7

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2021. (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, khat ( <i>miraa</i> ),‡ rice, sisal, sugarcane, tobacco, corn, flowers, and cotton (5-9,10,11)
	Herding livestock† (12-15)
	Fishing,† including for tilapia, sardines, Nile perch, and other fish (12,13,16,17)
	Burning wood to produce charcoal (15,18)
Industry	Construction,† including carrying heavy loads (12,18)
	Quarrying,† including for stones and coral (13)
	Harvesting sand† (13,18,19)
	Making bricks† (13,15,18)
	Mining† for gold, gemstones, and salt (1,12,20-22)
	Working in slaughterhouses, including disposing of after-products and cleaning (12)
Services	Domestic work,† including caregiving (1,16,22-24)

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

Sector/Industry	Activity
Services	Street work, including vending (1,18,23)
	Transporting goods and people by bicycle,† motorcycle,† and handcart† (13,22,23)
	Scavenging,† including for scrap materials (9,22,25-27)
	Begging† (12,22,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (9,15,22,28-33)
	Use in illicit activities, including drug trafficking (9,22,34,35)
	Forced begging, street vending, domestic work, herding livestock, fishing, and work on tobacco farms, each sometimes as a result of human trafficking (2,9,23,32,36,37)

† 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 subjected to forced labor and commercial sexual exploitation, each sometimes as a result of human trafficking, both within and outside the country. (32,37) Both boys and girls are victims of commercial sexual exploitation in tourism-heavy areas on the Kenyan coast, and in Nairobi and Kisumu. (29,30,38-40) A report by International Justice Mission and other NGOs observed that commercial sexual exploitation of children is often hidden, and is facilitated by hotel and lodge owners, bar owners, local tour guides, transportation providers, and sometimes young local women who act as recruiters for younger girls. (33) Commercial sexual exploitation of children also occurs in drug production sites, near gold mines, along major highways and resting stops, and in fishing areas on Lake Victoria and the Turkana region. (22,31-33,38,41) Traffickers exploit children from East Africa and South Sudan to forced labor in domestic service and agriculture, in addition to commercial sexual exploitation. (32,42) Moreover, traffickers increasingly exploit children with disabilities from Tanzania and other neighboring countries in forced labor, including begging. (32) Finally, there has been an increase in children subjected to the worst forms of child labor in Kenya, resulting from school closures during the COVID-19 pandemic, including commercial sexual exploitation and forced begging. (2,19,26,43,44)

Children work at informal gold mining sites in western Kenya, using pickaxes and other dangerous tools, working underground, and carrying heavy loads. (1,20,21,45) In some instances, children working at mining sites have been trapped in collapsed mines, suffocated, or exposed to mercury poisoning. (20-22) Children working in domestic service are subject to extensive work hours and physical and sexual abuse. (37) Furthermore, children participate in the harvesting and processing of khat (*miraa*), an addictive stimulant. (10,11,38) As the last national child labor survey was conducted in 2000, data may no longer accurately reflect the current child labor situation in Kenya. (4,13)

International NGOs report that, during the reporting period, elements of Kenyan Defenses Forces (KDF) operating in northeastern Kenya supported a Somali federal member state militia that recruited and used child soldiers; such support allegedly included providing safe harbor, security, and free passage to Abdirashid Hassan Abdinur, known as Janan, who was the Security Minister of Jubbaland and commander of a battalion in the Jubbaland Security Forces (JSF) during 2020. UN and press sources document the recruitment and use of child soldiers by both Janan’s battalion and the broader JSF. (46-49) In early 2020, Janan escaped from prison in Mogadishu, Somalia, before entering Kenya. Multiple reports from the press and human rights organizations establish that Janan and his militia remained in hiding in Kenya, with the knowledge and support of local KDF elements. (48-55) Reporting also indicates that the Government of Kenya financed the salaries of soldiers affiliated with the JSF, including the training of Jubbaland militias under Janan, which included some children. (46,53,56) Moreover, elements of the Jubbaland Security Forces under Janan maintained a camp in Mandera, a Kenyan town near the border of Somalia. (53,55,57-59) The UN verified at least 129 separate cases of JSF, which comprise as many as 5,000 personnel, recruiting and using children as soldiers from 2016 to the end of 2019 and least 36 children in 2020. (47,60,61)

Kenya law mandates free basic education and prohibits schools from charging tuition fees. (31,62,63) However, the cost of books and uniforms prevents some children from attending school, particularly at the secondary






level. (64-66) An insufficient number of schools and teachers, a lack of hygiene facilities and products for girls, and sexual abuse within schools further contribute to children in Kenya dropping out of school and becoming vulnerable to the worst forms of child labor. (12,18,67,68) In addition, children seeking asylum or of refugee status are often restricted to living in designated areas, such as the Kakuma and Dadaab refugee camps. (32,69) These camps have an insufficient number of schools and existing facilities lack sufficient teachers, textbooks, electricity, and latrines. (2,22,70,71) These conditions likely contribute to heightened vulnerabilities of refugee children to the worst forms of child labor, including commercial sexual exploitation and human trafficking. (32,37,69) Moreover, although Kenya has a re-entry policy for girls who become pregnant to return to school after giving birth, in some cases school administrators continue to expel pregnant girls, increasing their vulnerability to the worst forms of child labor. (69,72,73)

The Births and Deaths Registration Act requires birth registration; however, many children living in the country are not registered at birth. As a result, non-registered children have difficulty accessing services, including education, because they must provide a birth certificate before enrolling in school or sitting for exams, despite the Basic Education Act stipulating that no child be denied admission to school for lack of proof of age. (63,74,75)

## 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. (12)

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 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 56 of the Employment Act; Section 12 of the Employment (General) Rules; Section 10.4 of the Children Act (62,76,77)
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 (62,76)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 12 and the Fourth Schedule of the Employment Act (General) Rules (77)

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

Standard	Meets International Standards	Age	Legislation
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 (62,76,78-81)
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 (62,76,79-81)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 13–16 of the Sexual Offences Act; Sections 2 and 53.1 of the Employment Act; Section 15 of the Children Act (62,76,79)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Section 16 of the Children Act (62,76)
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 (62,82)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 243 (1) of the Kenya Defence Forces Act (82)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3 of the Counter-Trafficking in Persons Act (81)
Compulsory Education Age	Yes	18	Sections 28 and 30 of the Basic Education Act (63)
Free Public Education	No		Section 7.2 of the Children Act; Sections 28–29 and 32 of the Basic Education Act; Article 53(b) of the Constitution (62,63,78)

\* No conscription (82)

‡ Age calculated based on available information (63,83)

During the reporting period, the government began a review of its hazardous work list to harmonize it with the National Policy on the Elimination of Child Labor. (84) In addition, the government conducted a mapping analysis of its legal and policy framework to identify potential regulatory gaps in relation to ILO conventions on labor administration and domestic work. (85)

Kenya permits light work activities for children ages 13 to 16, including agricultural and horticultural work not exceeding 2 hours, though it does not establish limits on the number of hours for other identified activities. (77) 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. (63,76,77,86) Moreover, although the Basic Education Act establishes free basic education and stipulates that children should not be denied admission to school on account of not paying fees, the law does not meet international standards because it permits schools to levy tuition for children who reside in Kenya but do not have Kenyan citizenship. (63)

### 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 enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Protection (MLSP)	Conducts labor inspections and enforces labor laws, including those related to child labor. (1) Comprises both the State Department for Labor and the State Department for Social Protection. Directs activities to promote awareness and withdraw children from child labor through the State Department for Labor's Child Labor Division. (1,87) Provides services to children in need of social protection, including responding to cases of child exploitation, through the Department of Child Services (DCS) under the State Department for Social Protection. (88) Each of Kenya's 47 counties staffs a County Coordinator to provide information and coordinate with DCS on cases involving child exploitation. (38)
National Police Service (NPS)	Investigates and enforces laws related to the worst forms of child labor, in coordination with MLSP and the ODPP. (1) Includes the Anti-Human Trafficking and Child Protection Unit, which carries out investigations related to commercial sexual exploitation of children, child trafficking, and other worst forms of child labor. (2,12,89,90)
Office of the Director of Public Prosecutions (ODPP)	Enforces laws through the prosecution of criminal offenses, including labor-related offenses. The Office of the Director of Public Prosecutions directs the NPS to investigate cases. (1)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Kenya took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Protection (MLSP) 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	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (9)
Number of Labor Inspectors	85 (1)	Unknown (9)
Inspectorate Authorized to Assess Penalties	Yes (91)	Yes (91)
Initial Training for New Labor Inspectors	No (1)	No (9)
Training on New Laws Related to Child Labor	N/A (1)	N/A (9)
Refresher Courses Provided	No (1)	No (9)
Number of Labor Inspections Conducted	8,160 (1)	4,236 (92)
Number Conducted at Worksite	8,160 (1)	4,236 (92)
Number of Child Labor Violations Found	Unknown (1)	Unknown (9)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (9)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (9)
Routine Inspections Conducted	Yes (1)	Yes (9)
Routine Inspections Targeted	Yes (1)	Yes (9)
Unannounced Inspections Permitted	Yes (91)	Yes (91)
Unannounced Inspections Conducted	Yes (1)	Yes (85)
Complaint Mechanism Exists	Yes (1)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (9)

The government published only limited information on labor law enforcement efforts. (92) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Kenya would need to employ roughly 1,321 labor inspectors as its workforce consists of over 19 million workers. (93,94) MLSP intends to hire additional labor inspectors in 2021, with interviews and onboarding beginning in the early part of the year. (95) However, MLSP's insufficient number of labor inspectors and inadequate financial resources likely hinder their capacity to enforce labor laws, including those related to child labor. (1,92)

A high-ranking municipal official in Nairobi admitted, during a televised interview, that he employed street children for work on road construction projects in Nairobi, including overnight work. (96) The incident generated public criticism and MLSP made an informal intervention, advising the official against any further similar activity, however, no formal remedial action was taken. (85)

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The State Department for Labor refers cases involving child labor to the Department of Child Services (DCS), within MLSP, for placement of victims in social services. (1) The DCS uses a Child Protection Information Management System that collects, aggregates, and reports on child protection data, including child labor violations, to assist child protection officials to track and report on child protection activities. (12,69) In 2020, approximately 578 cases of child labor were reported in the Child Protection Information Management System; research, however, could not determine the number of these cases that resulted from findings from labor inspections. (85,97,98)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Kenya took actions to combat child labor (Table 7). However, gaps exist within the operations of 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	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Yes (9)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	N/A (9)
Refresher Courses Provided	Unknown (1)	No (85)
Number of Investigations	18 (38,99,100)	2 (2)
Number of Violations Found	138 (38,99,100)	5 (2)
Number of Prosecutions Initiated	7 (1,99,100)	20 (2)
Number of Convictions	Unknown (1)	3 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (99)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (9)

The Anti-Human Trafficking and Child Protection Unit initiated 2 new investigations, involving at least 5 victims, 11 prosecutions, and 2 convictions related to human trafficking, forced labor, and commercial sexual exploitation of children; in addition, the Office of the Director of Public Prosecutions reported an additional 9 prosecutions and 1 conviction related to child trafficking. Research, however, could not determine whether the government had additional law enforcement investigations, prosecutions, or convictions related to the worst forms of child labor. (2) The government, in partnership with a NGO, operates a national hotline to report cases of child abuse and exploitation, which are then followed up with an investigation by the DCS. During the reporting period, the hotline received 64 complaints related to child labor, 10 cases of trafficking of children, and 6 cases related to commercial sexual exploitation of children. (2)

A report by the National Council on the Administration of Justice found that magistrates lacked specialized knowledge in children's laws, policies, and rights, including the Sexual Offenses Act and the Children Act. (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 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. (1) Comprises government agencies, private employers, and workers' organizations. Chaired by the Principal Secretary for Labor, with coordination duties performed by the MLSP Child Labor Division. (9) In 2020, MLSP, with support from ILO, created and convened the inaugural meeting of a Technical Working Committee to support the effectiveness of the National Steering Committee and reinstatement of county-level child labor committees. (84,95)

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

Coordinating Body	Role & Description
National Council for Children's Services	Coordinates government efforts on issues related to child rights and welfare, including child labor. Comprises a chairperson, appointed by the President, and council members drawn from ministries, departments, agencies, and civil society. (101,102) Due to pandemic restrictions, the National Council for Children's Services did not meet during the reporting period. (85)
County Child Labor Committees*	Coordinate county-level activities to eliminate child labor and related labor abuses, including forced labor and human trafficking. (84) Include local labor officers and child protection officials. (95) During the reporting period, the government established county-level child labor committees, targeting 15 counties based on prevalence of child labor and child trafficking. (84,95)
Counter-Trafficking in Persons Advisory Committee	Coordinates the implementation of policies related to human trafficking and provides prevention and protection services to victims under the Counter-Trafficking in Persons Act. Led by the Counter Trafficking in Person's Secretariat under the State Department for Social Protection of MLSP, and comprises human trafficking and child protection specialists from multiple government agencies and NGOs. (2) In 2020, the Committee consulted with NGO stakeholders regarding the development of an updated National Action Plan to Combat Human Trafficking. (2)

\*Mechanism to coordinate efforts to address child labor was created during the reporting period.

Research indicates that a lack of sufficient funding likely inhibits the activities of coordinating bodies. (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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Policy on the Elimination of Child Labor	Proposes strategies to prevent and eliminate child labor, including its worst forms, while providing support and rehabilitation for children removed from child labor. Includes measures to establish child labor-free zones, increase financial support for labor law enforcement, raise awareness, improve accessibility to education and social protection programs, and integrate child labor into corporate responsibility programs. (103) In 2020, the government began a review of the hazardous work list to bring it in line with the types of hazardous occupations and activities outlined in the National Policy on the Elimination of Child Labor. (84)
National Plan of Action for Children in Kenya (2015–2022)	Provides an operational framework for coordination, planning, implementing, and monitoring programs for children's welfare. Also outlines programs, awareness-raising activities, and research with the goal of reducing child labor and other child exploitation cases by 50 percent by 2022. (84,104) Due to pandemic restrictions, no activities were undertaken to implement the National Plan of Action for Children in Kenya during the reporting period. (85)
MLSP Strategic Plan (2018–2022)	Outlines the implementation of MLSP activities, programs, and projects, including the elimination of child labor. Proposes an updated child labor survey, development of a database on child labor, and creation of child labor free zones. (105) During the reporting period, MLSP took actions to reconstitute the National Steering Committee on Child Labor, including the establishment of a Technical Working Committee, in alignment with the objectives of the MSLP Strategic Plan. (105)
National Prevention and Response Plan on Violence Against Children in Kenya, (2019–2023)†	Identifies goals and multi-sectoral actions to address violence against children, including commercial sexual exploitation, child trafficking, and other worst forms of child labor, through laws and policies, family support, education and life skills, community awareness, response and support, and coordination. Outlined goals and activities are based on findings from a 2019 National Survey on Violence Against Children that provided data on the magnitude, patterns, and factors associated with violence against children. (85,106)

† 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. (12,107,108)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.



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**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Projects to Combat Child Labor and Increase Education Access†	Government-funded 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. (109) The School Meals Program also serves hot lunches to vulnerable children to improve school attendance. (18,109) During the reporting period, the government made an educational allocation of \$4 million, under the Presidential Secondary School Bursary Scheme, that supported the education of 22,933 students. (85)
National Safety Net Program (2013–2026)‡	\$411 million, government-funded, 5 year cash transfer and social safety net program, with support from the World Bank. (12) In 2020, approximately 295,316 households with vulnerable and orphan children received financial support from the National Safety Net Program. (92)
UN Humanitarian Assistance Program	UNICEF-implemented program to provide educational and nutritional services to children. (110)
USDOL-Funded Programs	USDOL-funded projects to combat child labor, build government capacity, and support youth apprenticeships. Includes <u>Better Utilization of Skills for Youth (BUSY) through Quality Apprenticeships (2016–2021)</u> , a \$3 million program, and <u>Capacity Strengthening of Governments to Address Child Labor and/or Forced Labor and Violations of Acceptable Conditions of Work in Sub-Saharan Africa (CAPSA) (2019–2022)</u> , a \$5 million dollar project to build the capacity of the Kenyan government to enforce labor laws and regulations related to child labor and forced labor and approve services for victims. (111,112) Also included <u>Promoting Apprenticeship as a Path for Youth Employment in Argentina, Costa Rica, and Kenya through Global Apprenticeships Network (GAN) National Networks (2016-2020)</u> . (113) For additional information, please see our <a href="#">website</a> .

† 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. (12,18,114,115)

During the reporting period, the government, with the ILO, worked to finalize drafting of an updated Decent Work Country Program (DWCP), which outlines the ILO's country programming strategy for Kenya, to integrate child labor and forced labor concerns into the DWCP. The government will launch the DWCP in early 2021. (84) In response to a National Survey on Violence Against Children, the government developed training materials for management of child protection cases and improved child protection facilities in West Pokot, Mombasa and Kericho Counties. In addition, the MLSP Department of Children's Services opened a Children's Office at Kakuma Refugee Camp in Turkana to coordinate children's services, including the handling of court matters for children in the camp. (85)

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	Accede to the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2020
	Ensure that light work provisions limit the number of hours for all light work activities.	2019 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2020
	Ensure that laws providing free basic education cover all children in Kenya, including non-citizens.	2020
Enforcement	Publish information about labor law enforcement efforts, the funding of the labor inspectorate, the number of labor inspectors, the number of child labor violations, and the number of child labor violations in which penalties were imposed and collected.	2009 – 2020
	Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and refresher courses.	2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Ministry of Labor and Social Protection has sufficient financial and human resources to address labor violations.	2017 – 2020
	Ensure that measures are taken to investigate and impose penalties for violations of child labor by government officials.	2020
	Ensure criminal law enforcement investigators receive refresher training.	2020
	Ensure that magistrates receive training on laws protecting children from the worst forms of child labor.	2019 – 2020
Coordination	Ensure that all coordinating bodies receive sufficient funding and are able to carry out their intended mandates.	2016 – 2020
Government Policies	Ensure all policies are implemented according to their mandates, including the National Plan of Action for Children in Kenya.	2017 – 2020
Social Programs	Collect and publish updated data on the extent and nature of child labor to inform policies and programs.	2014 – 2020
	End financial and training support for regional state armed groups in Somalia that recruit children, and hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2020
	Improve access to education by increasing the number of schools and teachers, enhancing the availability of hygiene facilities and products within schools, addressing sexual abuse in schools, and eliminating or defraying the cost of school fees, books, and uniforms.	2010 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and refugee children, by ensuring that pregnant girls can remain in school, improving access to birth registration documents, increasing the number of schools, and improving existing educational facilities in refugee camps.	2010 – 2020
	Expand existing programs to address the scope of the child labor problem, including children engaged in commercial sexual exploitation.	2009 – 2020

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In 2020, Kiribati made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government published results from the Social Development Indicator Survey conducted in 2018–2019, which provides statistics on child labor. In addition, the government established the Education Sector Contingency Plan for COVID-19 and secured a grant from the Global Partnership for Education to develop remote learning interventions during the COVID-19 pandemic. Although research is limited, there is evidence that children in Kiribati engage in dangerous tasks in construction and street vending. Existing laws do not identify hazardous occupations and activities prohibited for children, and do not prohibit the domestic trafficking of children. In addition, 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 engage in 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 (%)		100.9

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (2)  
Data were unavailable from International Labor Organization's analysis, 2021. (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
Industry	Construction, cargo loading, and seafaring (1,4)
Services	Street work, including vending and working in kava bars (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including aboard fishing vessels (1,4,5)

‡ 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 government published results from the Social Development Indicator Survey, which was conducted in 2018–2019 by the Kiribati National Statistics Office and the Ministry of Health, with support from UNICEF, the United Nations Population Fund, the Pacific Community, and the Government of Australia. (6) According to the survey, 25.4 percent of children ages 5–17 are involved in child labor, with 14.9 percent of those children working under hazardous conditions. However, the survey results did not include information on the specific sectors in which children are engaged in work in Kiribati. (6-8) Although the report does not identify specific sectors, children living in rural areas and poorer households were more likely to be more engaged in hazardous conditions compared to children in urban areas or wealthier households. (8)

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Evidence indicates that girls are subjected to commercial sexual exploitation. (5) Underage girls were allegedly subjected to commercial sexual exploitation with crewmembers from foreign fishing vessels. In exchange, the girls were given cash, alcohol, food, and goods. (1,4,8)




Under the Free Education Policy, the government provides free education—including tuition, stationery, and transportation—to children. Through collaborations with UNICEF and the Government of Australia, the government has improved learning spaces, access, and sanitation at schools. (8) The Government of Kiribati also worked with UNICEF to strengthen birth registrations by conducting free mobile registration clinics in outer islands. Children do not experience barriers to education due to a lack of identity documents, their disability status, or access to schools from remote islands. (8)

In response to the COVID-19 pandemic and disruptions to children's education, the Ministry of Education established the Education Sector Contingency Plan for COVID-19 and secured a grant from the Global Partnership for Education. The grant helped to develop materials for remote learning interventions. (8)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Kiribati 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 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 (9)
Minimum Age for Hazardous Work	Yes	18	Section 117 of the Employment and Industrial Relations Code (9)
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 (9,10)
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 (9,11)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 136 and 141–142 of the Penal Code; Sections 118(1)(f), 118(1)(g), and 118(2) of the Employment and Industrial Relations Code (9,10)
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 (9,10)

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

Standard	Meets International Standards	Age	Legislation
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 (9)
Compulsory Education Age	Yes	15	Section 7 of the Education Act (12)
Free Public Education	Yes		Section 11 of the Education Act (12)

† No standing military

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. (9) During the reporting period, the Ministry of Employment and Human Resources (MEHR) reviewed the drafted types of hazardous work prohibited and regulations relating to light work for children. However, completion of the regulations is delayed due to the lack of in-house legal capabilities within MEHR. (8) Kiribati's laws prohibiting child trafficking are insufficient because they do not specifically prohibit various acts involved in the recruitment, harboring, transportation, transfer, and receipt of child trafficking. (9,11) In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (9,12)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies 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. (13)
Kiribati Police Force	Enforces criminal laws related to the worst forms of child labor. (8) Investigates cases of human trafficking and sexual exploitation of children through a special Domestic Violence and Sexual Offenses Unit. (14)
Child Protection Officer, Ministry of Women, Youth, Sports and Social Affairs (MWYSSA)	Removes children from harmful situations, including as a result of sexual exploitation and harsh or exploitative labor. (13,15) Assists with the implementation of the Children, Young People and Family Welfare Act. (16) Coordinates the Safenet referral system. (8)

#### **Labor Law Enforcement**

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$10,000 (1)	Unknown
Number of Labor Inspectors	3 (1)	5 (8)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (9)

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

Overview of Labor Law Enforcement	2019	2020
Initial Training for New Labor Inspectors	Yes (1)	No (8)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (1)	No (8)
Number of Labor Inspections Conducted	133 (1)	63 (8)
Number Conducted at Worksite	Unknown (1)	63 (8)
Number of Child Labor Violations Found	Unknown (1)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	0 (8)
Routine Inspections Conducted	Yes (1)	Yes (8)
Routine Inspections Targeted	No (1)	No (8)
Unannounced Inspections Permitted	Yes (1)	Yes (9)
Unannounced Inspections Conducted	Yes (1)	No (8)
Complaint Mechanism Exists	Yes (1)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (8)

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. (8) Resource and capacity constraints restrict the government's services and activities related to labor law enforcement. Although the number of labor inspectors meets the ILO's technical advice, 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. (1,4) In addition, the government did not hold training on child labor laws due to pandemic border restrictions, which limited travel in Kiribati. (8)

### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Kiribati took actions to combat child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	No (8)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (1)	No (8)
Number of Investigations	0 (1)	Unknown (8)
Number of Violations Found	0 (1)	Unknown (8)
Number of Prosecutions Initiated	0 (1)	Unknown (8)
Number of Convictions	0 (1)	Unknown (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (1)	Unknown (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (8)

## **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 (KNHRT)	Coordinates national UN reports. (4) MEHR and MWYSSA are members. (1,17) KNHRT was active during the reporting period. (18)
Child Protection Working Group	Coordinates child protection issues with MWYSSA. Oversees the implementation of the Child, Young People and Family Welfare Act. (1,16) During the reporting period, MWYSSA conducted training for all welfare officers engaging in social work with children. The participants included 6 officers at the national level and 23 officers based in island councils throughout the country. (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 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. (15) During the reporting period, UN Women and the Kiribati Police facilitated training for stakeholders on the children protection policy. (18)
United Nations Pacific Strategy (2018–2022)	A multi-national 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. (19)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (1,8)

During the reporting period, the Government of Kiribati continued to support existing policies on child protection and strengthening the education sector. However, research found no evidence of a policy that focuses specifically on combating the worst forms of child labor. (5,8)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (20) During the reporting period, the program supported child protection activities, including the Social Development Indicator Survey. (18)
Safenet‡	MWYSSA-coordinated program that allows government, churches, and NGOs to provide assistance to victims found in exploitative and violent situations. (13,21) During the reporting period, MWYSSA expanded the Safenet system by establishing a COVID-19 Helpline in response to concerns related to the pandemic and the possible violence and exploitation of children. (8)
Hotlines‡	MWYSSA- and police-supported 24-hour hotlines for children to report violations, request information, or obtain access to services. (21) This program was active during the reporting period. (18)

† 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. (1,4,8)

During the reporting period, the Government of Kiribati secured a grant from the Global Partnership for Education to hold training programs for educators and education stakeholders on remote learning interventions for use during the pandemic. (8)

Although the government has implemented 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 engaged in construction and street vending work, or young girls subjected to commercial sexual exploitation with crew members from foreign fishing vessels.

## 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).



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**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 – 2020
	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 – 2020
	Establish law that prohibits the domestic trafficking of children and the various acts involved in recruitment, harboring, transportation, transfer, and receipt of child trafficking.	2015 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Publish information on the labor inspectorate's funding.	2020
	Strengthen the labor inspectorate by ensuring sufficient resources to support labor law enforcement activities and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2017 – 2020
	Institutionalize training on child labor laws for labor inspectors and criminal investigators, including initial training for new inspectors and investigators and refresher courses.	2017 – 2020
	Publish criminal law enforcement efforts, including the number of investigations, violations found, prosecutions initiated, convictions, and whether penalties were imposed for violations related to the worst forms of child labor.	2020
Government Policies	Adopt a policy that addresses the worst forms of child labor.	2014 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor in all sectors to inform policies and programs.	2017 – 2020
	Implement social programs to address all relevant forms of child labor, including in construction and street vending.	2017 – 2020
	Implement programs to address the issue of commercial sexual exploitation of young girls with crew members from foreign fishing vessels.	2018 – 2020

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In 2020, Kosovo made a moderate advancement to eliminate the worst forms of child labor. The government drafted multiple regulations for the implementation of the Law on Child Protection to address child labor in the informal sector. The Ministry of Labor and Social Welfare also began conducting a survey on children engaged in hazardous work and the Committee for Prevention and Elimination of Hazardous Forms of Child Labor drafted an action plan for central- and local-level institutions and civil society organizations on how to coordinate efforts to prevent hazardous child labor. In addition, the government passed the Strategy on the Rights of the Child, which provides a policy framework for the protection of children's rights, including child labor. Moreover, the government worked with UNICEF to launch a new program that aims to increase the availability of early childhood education and promote inclusion of children with disabilities into the education system. However, children in Kosovo are subjected to 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, including loading and transportation of goods and begging. The Labor Inspectorate and Centers for Social Work also face financial and human resource constraints, which may impede their ability to adequately address child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Kosovo are subjected to 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, including loading and transportation of goods and begging. (1-3) No recent data were available, but the 2013 Multiple Indicator Cluster Survey (MICS) determined that 5,398 children in Kosovo were subjected to child labor. (4) The study also found that 2,168 Roma, Ashkali, and Balkan Egyptian children were subjected to hazardous child labor practices, especially street work. (5) 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, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2013–2014. (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 operating agriculture machinery (2,3,8)
	Forestry, including operating machinery and transporting wood (3,9)
Industry	Mining, including underground extraction of coal by hand (3,8)

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

Sector/Industry	Activity
Industry	Construction and manufacturing, including operation of tools in hazardous worksites (3,8,9)
Services	Street work,† including vending small items,† manual transport of goods,† and begging† (3,8) Scavenging at dumpsites† (8,10)
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (1,2,8,11) Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,8,9,11) Use in illicit activities (8,12)

† 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.




Kosovo is a source and destination country for child trafficking, especially of girls. (1,3,9,13,14) In addition, children are sometimes forced into labor, such as in massage parlors, by organized criminal groups. (1,13,15,16) Kosovar children and children from neighboring countries, especially Albania, are also forced into street work including begging, primarily in Prizren and Pristina. Most of these children come from the Roma, Ashkali, and Balkan Egyptian minority ethnic groups. (9,13,15,17-22) Economically vulnerable Kosovan children are sometimes forced to work in construction and agriculture to support their families. (9)

Ashkali, Balkan Egyptian, and Roma children, especially girls, sometimes experience difficulty accessing education, as a birth certificate is required to attend school in Kosovo and many births go unregistered. (11,17,23-26) Children who do not attend school are vulnerable to the worst forms of child labor. (27) During the reporting period, the Ministry of Labor and Social Welfare began conducting a survey on the state of children engaged in hazardous labor practices in Kosovo. In addition, during the school year, the Ministry of Education provided virtual classes in the Romani language to address concerns about marginalization of Roma children. (3,8)

## 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. (28) Despite Kosovo’s unique status, the country worked with the UN through the Common Development Plan (2021–2025), which was implemented by the UN Kosovo Team and focused on promoting international standards and human rights. (29,30)

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	No	15	Article 7 of the Law on Labor (31)
Minimum Age for Hazardous Work	Yes	18	Articles 20, 23, 26, 27, and 45 of the Law on Labor (31)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Administrative Instruction No. 05/2013; Article 45 of the Law on Labor; Administrative Instruction No. 2008 (31-33)
Prohibition of Forced Labor	Yes		Article 6 of the Law on Labor; Articles 163 and 165 of the Criminal Code; Law on the Prevention and Elimination of Human Trafficking and Protection of the Victims of Trafficking (31,34,35)
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 and 22 of Administrative Instruction No. 10/2017 (34-36)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 232 and 234 of the Criminal Code; Articles 47 and 62 of the Law on Child Protection (35,37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 267–273 of the Criminal Code; Article 43 of the Law on Child Protection (35,37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 6 of the Law on the Kosovo Security Force (38)
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 51 (2) and 59 of the Law on Child Protection (35,39)
Compulsory Education Age	Yes	15‡	Article 9 of the Law on Pre-University Education (40)
Free Public Education	Yes		Article 9 of the Law on Pre-University Education (40)

\* No conscription (41)

‡ Age calculated based on available information (40)

The Law on Child Protection entered into force in July 2020. (8,42) During the reporting period, the government began enforcement of the law and developed implementation guidelines to support its goals, including tackling child labor practices in the informal sector economy. (8,19,39,43) The law prohibits violence, abuse, exploitation, and neglect of children, including using a child as a beggar, and prohibits the use of children in additional illicit activities. (8,42,43) However, Kosovo does not meet international standards as the establishment of the minimum age for work in Article 7 of the Labor Law does not apply to children in informal work. Additionally, the law does not sufficiently prohibit commercial sexual exploitation of children as the use of a child for prostitution is not prohibited.

### 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 framework of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Inspectorate	Conducts inspections to enforce child labor laws, removes children engaged in hazardous work, and refers children engaged in hazardous work to regional Centers for Social Work. (3)
Kosovo Police (KP)	Enforces criminal laws on forced child labor and commercial sexual exploitation of children. Through the Anti-Trafficking Directorate, enforces laws on child trafficking. (2,3,8) Operates under the Ministry of Internal Affairs. (44)

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

Organization/Agency	Role
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. (8)
Ministry of Education, Science, and Technology	Conducts education inspections on balance of students' school and work hours. (45)

From January to March 2020, four ministries divided the duties of the former Ministry of Labor and Social Welfare (MLSW): (1) Ministry of Infrastructure and Environment, (2) Ministry of Economy, (3) Ministry of Health, and (4) Ministry of Finance. The interim government restored these competencies to the MLSW. (3,46) There is limited inter-ministerial communication between the Ministry of Internal Affairs and aforementioned government entities, which were tasked with the duties of the former MLSW in 2019. (2,47) Multiple entities have reported on insufficient institutional capacity at the central and municipal levels to improving funding and human resources for the Centers for Social Work (CSWs). This lack of institutional commitment posed an obstacle to the ability of CSWs to address cases of child labor in a competent and adequate manner. (3,8,12,48)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Kosovo took actions to combat child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$830,333 (2)	\$983,813 (8)
Number of Labor Inspectors	40 (2)	37 (8)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (8)
Initial Training for New Labor Inspectors	Yes (2)	N/A (8)
Training on New Laws Related to Child Labor	N/A (2)	Yes (8)
Refresher Courses Provided	No (2)	Yes (8)
Number of Labor Inspections Conducted	Unknown (46)	7,105 (8)
Number Conducted at Worksite	Unknown (46)	7,105 (8)
Number of Child Labor Violations Found	116 (46)	0 (8)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (46)	0 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (2)	0 (8)
Routine Inspections Conducted	Yes (2)	Yes (3)
Routine Inspections Targeted	Yes (2)	Yes (8)
Unannounced Inspections Permitted	Yes (31)	Yes (31)
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 2020, the Labor Inspectorate continued with public- and private-sector inspections, with a special focus on the construction and agriculture sectors, areas in which child labor is known to occur. (3) During the reporting period, the Labor Inspectorate did not conduct inspections in areas with ethnic Serb majorities. (8) 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. (8,27,47,49)

The Labor Inspectorate had an overall strategy for conducting child labor inspections and incorporated identification of child victims of human trafficking in its strategy for 2017–2021. (8,50–53) Labor inspectors receive initial training when hired; however, these trainings do not cover child labor as a separate category. (8,53) Over 7,000 labor inspections were conducted at worksites during the reporting period. (8) In 2020, the ILO trained 48 Labor Inspectorate staff in two sessions focused on identification, referral, and tracking of child



labor cases. In addition, the ILO held two virtual workshops in conjunction with the Kosovo Justice Academy to facilitate understanding of the judiciary's challenges in dealing with child labor throughout the country. (8)

The Labor Inspectorate's mandate allows it to investigate employment contracts for working children between ages 15 and 18 who have entered into an employment contract for a limited period. When child labor is discovered, the Labor Inspectorate issues the penalty and works with the Kosovo Police (KP) to remove the child from child labor. (8) In addition, the Labor Inspectorate coordinates inspections with CSWs for suspected abuse of children under the age of 15. According to NGO and media reports, the number of cases reported does not fully reflect the actual number of child labor cases due to the high level of labor market informality. (8,9,14)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Kosovo 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 training for prosecutors and judges on identification of forced begging cases.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (2)	No (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (2)	No (8)
Refresher Courses Provided	No (2)	No (8)
Number of Investigations	15 (54)	62 (8)
Number of Violations Found	15 (54)	79 (8)
Number of Prosecutions Initiated	15 (54)	37 (8)
Number of Convictions	Unknown (2)	Unknown
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (54)	Unknown
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (8)

During the reporting period, the KP initiated multiple raids, held awareness campaigns, and conducted a series of anti-trafficking trainings for law enforcement. (8,53) In November 2020, the Kosovo Police Trafficking in Human Beings Directorate participated in a 3 day training from the FBI on labor trafficking and conducting Internet investigations for trafficking in persons and child exploitation cases. (53) In addition, KP officers received separate training on human trafficking, including forced labor, child trafficking, commercial sexual exploitation, and the use of children in illicit activities. The KP reported that resources and training related to child labor were sufficient. (8) The Kosovo Prosecutorial Council participated in meetings with the ILO throughout the year to identify issues with data collection on child labor violations in the country. During the reporting period, the KP reported 12 violations related to trafficking of children and referred 16 children to social services. (8)

The government did not provide information on the number of convictions or penalties imposed for violations related to the worst forms of child labor for inclusion in this report.

The KP tracks children referred to CSWs as a result of investigations conducted by its domestic violence and human trafficking units. (8,55) However, authorities did not consistently identify cases of forced begging, which are instead typically classified as parental neglect or abuse. (8,13,48)

## **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 effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Committee for Prevention and Elimination of Hazardous Forms of Child Labor	Coordinates government policies to combat child labor. Oversees and provides policy guidance for activities to prevent and eliminate child labor. (8) Comprises representatives of government agencies, KP, trade unions, and an NGO. (2) During the reporting period, the Committee conducted its two annual plenary meetings and held several ad hoc member meetings. In addition, the Committee drafted an action plan for central- and local-level institutions and civil society organizations to coordinate efforts on the prevention of hazardous child labor practices. (8)
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. (56) During the reporting period, child labor monitoring coordination focused on preventing children from engaging in ore mining and other methods of economic exploitation including physical labor in hazardous conditions. In addition, municipalities and families were engaged in efforts to reintegrate children into the educational system. (8)
National Agency Against Trafficking in Persons (NAATIP)	Coordinates policy implementation, and monitors and reports on actions to combat child trafficking through a National Anti-Trafficking Coordinator (NATC). (15,57) NATC is a deputy Interior Minister. (14,58) Includes representatives from the government, judiciary, municipal offices, NGOs, and the international community. (44,58) During the reporting period, NAATIP conducted meetings with stakeholders to discuss areas for improvement, potential legislative changes, and coordination amongst anti-TIP partners. In addition, NAATIP published its annual report on the monitoring of anti-TIP efforts throughout the country. (53)
Municipal Local Action Committees	Aim to prevent and eliminate child labor; report to the Child Labor Monitoring System. Members include representatives from schools, municipal education departments, and KP. (8) In 2020, the Committees participated in multiple ILO-sponsored activities in partnership with the Kosovo government. (3,8)

Since 2013, the government has been collecting and processing data on labor violations, which are made available to all ministries and law enforcement bodies. (56) During the reporting period, MLSW coordinated activities to revitalize several child labor monitoring mechanisms at the local level, including efforts to prevent children from engaging in ore mining and other forms of hazardous labor. In addition, the Ministry of Agriculture provided child labor-focused briefings to agricultural inspectors to provide an understanding of hazardous child labor in agricultural activities. (8)

## 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)	Passed in January 2019. (2) Aims to improve social, economic, and legislative rights and the protection of children through developing institutions at the local and national levels. (51,59) Includes an accompanying Children's Rights Strategy (2019–2023). (51,59) During the reporting period, the Ministry of Labor and Social Welfare (MLSW) indicated that the Strategy would include objectives dedicated to the prevention, protection, and reintegration of children involved in hazardous child labor practices including ore extraction, farming, and street work. (8)
Strategy on the Rights of the Child (2019–2023)†	Adopted in 2020. Calls for a comprehensive framework of policies for the protection of children's rights, including the prevention, protection, and reintegration of children involved in hazardous child labor practices such as street work and underground ore extraction. (8)
Strategy for the Inclusion of Roma and Ashkali Communities (2016–2020)	Focused on employment, social issues, healthcare, and housing for the Ashkali and Roma communities. Aimed to strengthen individual's rights and full integration into society. (60) A special educational component promoted inclusive education for children from these communities. (61) During the reporting period, the strategy was active in partnership with Roma, Ashkali, and Egyptian civil society organizations. (3)
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 raise awareness of school attendance and enrollment. (62) Research was unable to determine whether activities were undertaken to implement the Kosovo Education Strategic Plan during the reporting period.
Regulation on the Implementation of the Rights of Children Through a Child-Friendly Municipal Governance System	Protects and promotes the rights of children. Ensures that municipalities are child friendly and guarantees that all children receive social services, education, and safety. (63) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.

† Policy was approved during the reporting period.

During the reporting period, the judiciary improved the government's ability to combat trafficking of children involved in begging and other illicit activities. (8,11) However, the government did not finalize the review process for the National Strategy Against Human Trafficking for 2020–2024. In addition, the 2020 Action Plan Against Human Trafficking was not fully implemented during the reporting period. (53)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Hope and Homes for Children†	Government-funded NGO shelter. Accommodates child victims of abuse and human trafficking. (49) During the reporting period, the MLSW continued to implement the shelter program. (8)
UN Sustainable Development Cooperation Framework (2021–2025)*	Funded and implemented by the UN Kosovo Team. Promotes international standards and human rights safeguards of migrants and the social protection and educational inclusion of the Roma, Ashkali, and Balkan Egyptian communities. (29) Prioritizes four areas: accountable governance; inclusive and non-discriminatory social policies and services; resilient, sustainable and inclusive economic development; and social cohesion. During the reporting period, the Program contributed to improved access to healthcare and education for disadvantaged children, including those with disabilities and children from the Roma, Ashkali, and Egyptian communities. (3,8)
UN Kosovo/UNICEF Program (2021–2025)*	Introduced in 2020 to provide guidance for the UNICEF project team in Kosovo. (8) Aims to increase availability of early childhood education opportunities, inclusion of children with disabilities, and justice for children through data generation and evidence-based policymaking. (30,64)
The Helpline‡	Government-operated hotline for victims of domestic violence and human trafficking. (13) During the reporting period, the Helpline continued to be active. (8)
Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	USDOL-funded global project implemented by 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 Kosovo, the project aims to build the capacity of the government and other stakeholders to address child labor. Additional information is available on the USDOL <a href="#">website</a> . (65)

\* Program was launched during the reporting period.

† Program is funded by the Government of the Republic of Kosovo.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,13,66)

The government continued to support social assistance to at-risk families and provided assistance with virtual education and textbooks. (8) During the reporting period, the government also continued to conduct awareness-raising activities in minority areas to encourage school registration. In addition, three municipalities established inter-agency case management roundtables led by CSWs to encourage more cooperation amongst local-level child protection officials. (8,53)

## 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
Legal Framework	Criminalize the use of children in prostitution.	2020
	Ensure that the minimum age for work applies to children in informal work.	2020
Enforcement	Ensure that Centers for Social Work have sufficient capacity and resources, such as shelter and short-term care services, personnel, and training to address the specific needs of child labor victims.	2018 – 2020
	Ensure that labor inspectors conduct child labor inspections on private farms and in areas with ethnic Serb majorities.	2017 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Incorporate topics on child labor, including hazardous child labor, in both new employee training and refresher courses; ensure trainings on new child labor laws for all labor inspectors.	2017 – 2020
	Ensure Kosovo Police authorities are trained to identify cases of forced begging as child labor instead of parental neglect or abuse.	2020
	Publish information on criminal law enforcement efforts, including the number of convictions and penalties imposed.	2020
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Inclusion of Roma and Ashkali Communities.	2016 – 2020
	Ensure that the National Strategy Against Human Trafficking for 2020–2024 is implemented.	2020
	Ensure that the annual Action Plan Against Human Trafficking is implemented.	2020
	Ensure that the Kosovo Education Strategic Plan is active.	2020
	Ensure that the Regulation on the Implementation of the Rights of Children through a Child-Friendly Municipal Governance System is active.	2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Eliminate barriers and make education accessible for all children by making additional efforts to register Ashkali, Balkan Egyptian, and Roma children at birth.	2011 – 2020
	Increase the number of shelter spaces and short-term services available for child labor victims.	2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

In 2020, the Kyrgyz Republic made minimal advancement in efforts to eliminate the worst forms of child labor. The government ratified International Labor Organization P029, Protocol of 2014 to the Forced Labor Convention, and drafted a National Action Plan to Combat Trafficking in Persons for 2021–2024. However, despite new initiatives to address child labor, the Kyrgyz Republic is assessed as having made only minimal advancement because it continued to implement a law and practice that



delays advancement in eliminating the worst forms of child labor. The government extended a 2019 moratorium on labor inspections until 2022. Although the government amended this moratorium in 2020 to permit labor inspections based on formal complaints, the Ministry of Economy must approve worksite visits associated with such inspections, and in practice, it announces these visits in advance. As a result, unannounced inspections remain severely restricted. Children in the Kyrgyz Republic are subjected to the worst forms of child labor, including in commercial sexual exploitation. Children also engage in child labor in agriculture. Protections to children granted in the Labor Code, such as the minimum age of employment, are not extended to children engaged in non-contractual employment, and research indicated that labor law enforcement efforts are not targeted to all sectors in which children are vulnerable to child labor, especially agriculture. In addition, the scope of social programs to combat child labor is insufficient to fully address the extent of the problem.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in the Kyrgyz Republic are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1,2) Children also engage in child labor in agriculture. (3-7) Table I provides key indicators on children’s work and education in the Kyrgyz Republic. 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	34.0 (Unavailable)
Attending School (%)	5 to 14	94.7
Combining Work and School (%)	7 to 14	38.4
Primary Completion Rate (%)		108.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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	Cultivating or harvesting cotton, tobacco,† rice, potatoes, beans, and onions (3,5-7,10-14)
	Herding cattle (1)
Industry	Coal mining† (3,15)
	Brick making (13,15)
	Construction, including lifting and portering construction materials, and cutting metal sheets for roofs (3,7,13,16)
Services	Working in bazaars and markets, including portering, shining shoes, collecting plastic bottles and garbage, and selling items, including food and beverages (5,11,12,15)
	Washing cars (13)
	Working in restaurants and cafes (5,7,13,15)
	Street work, including begging and shoe shining (10,11)
	Domestic work, including child care (10)

# Kyrgyz Republic

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation (1,2,13)
	Use in illicit activities, including trafficking drugs, as a result of human trafficking (17)

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

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

Child labor, including hazardous child labor, is most prevalent in Naryn and Osh provinces. (3) Children from the Kyrgyz Republic who travel to Kazakhstan to work, either with their parents or unaccompanied, cannot attend school due to a lack of documentation. These children engage in child labor in Kazakhstan in construction, farming, herding, or selling products in markets; some fall victim to forced child labor. (18) Within the Kyrgyz Republic, children of labor migrants have been identified in child labor in markets. (19)







The inability to enroll in school makes children from a variety of circumstances vulnerable to child labor. According to UNICEF, an estimated 650,000–750,000 citizens of the Kyrgyz Republic work abroad, and an additional 1 million are internal migrants. (20) Some children, who have either migrated with their parents or were left behind when their parents migrated to work in other countries or other areas of the Kyrgyz Republic, cannot access their birth certificates or guardianship documents, which are required for school enrollment. (6,20) Children living and working on the street and children living in rural areas also have difficulty accessing education. (13) In rare cases, some parents prevent children from attending school for religious reasons. (6,21)

In addition, children with disabilities face challenges accessing education in the Kyrgyz Republic. Approximately 3,000 children with disabilities live in residential institutions or special schools, often because of a recommendation from the Ministry of Science and Education against enrolling a child with disabilities in mainstream school. (22) The majority of these institutional schools offer only 9 grades of education, compared to 11 offered at mainstream schools, and grant children a certificate that is not accepted at higher education institutions. The Ministry of Science and Education refers some children with disabilities for home education, which is often fewer than 5 hours a week. (22)

## 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	✓

In 2020, the government ratified ILO P029, Protocol of 2014 to the Forced Labor Convention. (23)

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 the minimum age for work.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW AND PRACTICE THAT DELAYED ADVANCEMENT

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No	16	Articles 6 and 18 of the Labor Code (24)
Minimum Age for Hazardous Work	Yes	18	Articles 294 and 446 of the Labor Code; Article 72 of the Code on Administrative Liability; Article 15 of the Code on Children (24–26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 294 of the Labor Code; Decree 565 on the List of works prohibited for persons under age 18 (24,27)
Prohibition of Forced Labor	Yes		Articles 10 and 446 of the Labor Code; Article 15.2 of the Code on Children; Article 1 of the Law on Preventing and Combating Human Trafficking; Article 173 of the Criminal Code (24,25,28,29)
Prohibition of Child Trafficking	Yes		Article 1 of the Law on Preventing and Combating Human Trafficking; Article 171 of the Criminal Code (28,29)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 166–168 of the Criminal Code; Articles 5 and 15 of the Code on Children (25,28)
Prohibition of Using Children in Illicit Activities	Yes		Articles 180–181 and 267–268 of the Criminal Code; Articles 5 and 15 of the Code on Children (25,28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24.1 of the Law on Military Service (30)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 17.1 and 22.1 of the Law on Military Service; Article 392 of the Criminal Code (28,30)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 392 and 395 of the Criminal Code (28)
Compulsory Education Age	Yes	16‡	Article 16 of the Law on Education (31)
Free Public Education	Yes		Article 16 of the Law on Education (31)

‡ Age calculated based on available information (31)

In 2020, the government adopted a revised list of hazardous work prohibited for children under age 18. (27)

According to Article 6 of the Labor Code, protections to children granted in the labor code, such as the minimum age for employment, are not extended to children engaged in non-contractual employment. (24)

Article 18 of the Labor Code prohibits children age 14 from working during school hours, and requires that parents give written permission for children age 14 to work. Children age 15 may work only for employers who have received permission from a worker's organization or a government regulatory body. (24) Articles 91 and 95 of the Labor Code also restrict the number of hours that children under age 16 may engage in light work. Children ages 14 and 15 may not work more than 24 hours per week, and daily shifts may not exceed 5 hours during school breaks or 2.5 hours when school is in session. (24) However, the Kyrgyz Republic does not have a list of activities in which light work may be permitted. (32)

Although Article 166 of the Criminal Code criminalizes the involvement of children in prostitution, no law clearly criminalizes the users (clients) of prostitution involving children. In addition, prohibitions under Article 167 against offering children for prostitution do not cover children ages 16–17. (28,33)

### 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 unannounced inspections conducted at the national level in the Kyrgyz Republic may impede the enforcement of child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
State Inspectorate on Ecological and Technical Safety	Monitors worksites and refers child laborers to social services. Coordinates with the Inspectorate for Minors' Affairs in the Ministry of Internal Affairs (MOIA), the Prosecutor General's Office, and regional State District Administration authorities to enforce child labor laws. (13,15)
MOIA	Enforces 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 identify violations, which can be referred to the Prosecutor General's Office for prosecutorial action. (13)
Prosecutor General's Office	Implements and enforces state policy and law related to child protection, including guaranteeing children's rights and enforcing laws prohibiting the worst forms of child labor. (1)
National Referral Mechanism	Establishes procedures and policies for (a) identification of victims of human trafficking, (b) referrals for and provision of social services to victims, and (c) protection of victims' personal data. (34,35)
Helpline for Children	Hotline operated by the Ministry of Labor and Social Development through which children, parents, and legal guardians can report child abuse and exploitation, including the worst forms of child labor, and receive referrals for services. (36,37) Received 128,567 calls in 2020. The government reported that no calls resulted in the identification of child victims of human trafficking; however, information was not available on whether cases referred through the hotline involved other worst forms of child labor. (36)

Due to the COVID-19 pandemic, the Prosecutor General's Office restricted activities and worked remotely between March and September 2020, which may have limited some investigation and prosecution efforts related to the worst forms of child labor. Reports indicate that the pandemic also slowed implementation of the National Referral Mechanism (NRM). (36)

### Labor Law Enforcement

In 2020, lack of authorization to conduct unannounced inspections in the Kyrgyz Republic 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	2019	2020
Labor Inspectorate Funding	Unknown (13)	Unknown (4)
Number of Labor Inspectors	30 (13)	27 (5)
Inspectorate Authorized to Assess Penalties	Yes (13)	Yes (24)
Initial Training for New Labor Inspectors	Unknown	Yes (38)
Training on New Laws Related to Child Labor	Yes (13)	Yes (38)
Refresher Courses Provided	Yes (13)	No (5)
Number of Labor Inspections Conducted	504†(13)	Unknown
Number Conducted at Worksite	Unknown	Unknown
Number of Child Labor Violations Found	229† (13)	206‡ (1,5)
Number of Child Labor Violations for Which Penalties Were Imposed	96† (13)	7 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown
Routine Inspections Conducted	Yes (13)	Yes (5)
Routine Inspections Targeted	No (13)	Yes (1,4,5)
Unannounced Inspections Permitted	No (13)	No (39,40)
Unannounced Inspections Conducted	No (13)	No (4)
Complaint Mechanism Exists	Yes (13)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (13)	Yes (4)

† Data are from January 1, 2019 to September 30, 2019.

‡ Data are from January 1, 2020 to September 30, 2020.

During the reporting period, the government extended until 2022 a 2019 moratorium on inspection of business enterprises. (41-44) Although the government also amended the moratorium to permit labor inspections based on formal complaints, the Ministry of Economy must approve worksite visits associated with such inspections, and in practice, it announces these visits in advance. (13,39,40) Moreover, the State Inspectorate on Ecological

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and Technical Safety (State Inspectorate) cannot initiate inspections based on anonymous complaints. (45) These restrictions on unannounced inspections severely limit the State Inspectorate's ability to detect violations of labor laws, including those related to child labor. (5) In addition to labor inspections, the State Inspectorate participates in raids led by the Ministry of Internal Affairs (MOIA) to identify and assist children engaged in child labor, including those subjected to its worst forms. (46)

In 2020, the MOIA reported conducting 790 raids between January and September, through which authorities identified 539 working children. (46) The State Inspectorate reported participating in 26 of these raids, through which inspectors identified 93 child labor violations. (5) Information was unavailable regarding the number of violations that MOIA referred to the State Inspectorate, or the penalties that the State Inspectorate imposed in response to child labor violations identified during these raids. Sources indicate that the State Inspectorate rarely imposes penalties for child labor violations. (4) In addition, the Prosecutor General's Office reported conducting 37 inspections to detect child labor, through which it identified 113 violations. Prosecutors initiated 43 legal actions in response to these violations, resulting in civil penalties against 7 individuals. (1) During the reporting period, 119 working children and 19 children subjected to the worst forms of child labor were referred to the Ministry of Labor and Social Development for social services. (4)

In 2020, the State Inspectorate employed 27 labor inspectors. (4,5) The number of labor inspectors is likely insufficient for the size of the Kyrgyz Republic's workforce, which includes more than 2.8 million workers. (47) 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 140 labor inspectors. (48,49) The State Inspectorate has noted that the number of labor inspectors is likely insufficient to ensure the appropriate enforcement of the country's child labor laws. (5,7) Sources also report that the majority of enforcement activities to detect child labor are concentrated in markets in Bishkek and Osh, with few inspections or raids undertaken to detect child labor in agriculture. (4) The Prosecutor General's Office noted that enforcement agencies rarely undertake efforts to detect child labor in rural areas, in which children are vulnerable to child labor in crop cultivation, cattle herding, and other forms of agriculture. (1) The ILO has expressed concern that the State Inspectorate lacks sufficient funding to carry out inspections, although the government does not publicly release information on the level of funding for labor inspection activities, because it is deemed classified. (4,15) The State Inspectorate reported that funding levels decreased during the reporting period due to a decrease in the number of labor inspectors compared to 2019. (4)

The State Inspectorate reported that inspectors have not received formal training on child labor in recent years. (4,7) Inspectors did not receive training on child labor during the reporting period. (5)

Although the Code on Children formally provides for a child labor complaint mechanism, reports indicate that a lack of institutional capacity among labor inspectors and social workers may hinder adequate implementation of this mechanism. (13,25)

### **Criminal Law Enforcement**

In 2020, 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 prosecution planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Yes (46)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (50)	Yes (36)
Refresher Courses Provided	Unknown	Yes (46)
Number of Investigations	Unknown	9 $\frac{1}{2}$ (1,4)
Number of Violations Found	29 $\frac{1}{2}$ (51)	9 $\frac{1}{2}$ (1,4)
Number of Prosecutions Initiated	3 (13,50)	2 (1)



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

Overview of Criminal Law Enforcement	2019	2020
Number of Convictions	0 (13)	0 (4)
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 (13)	Yes (4)

† Data are from January 1 to September 30, 2019.

‡ Data are from January 1 to September 30, 2020.

Between January and September 2020, criminal enforcement agencies initiated a total of nine pretrial investigations into the worst forms of child labor, including three investigations into the involvement of children in prostitution (Criminal Code Article 166), five investigations into the use of children for the production of pornography (Criminal Code Article 168), and one investigation into forced child labor (Criminal Code Article 173). Of the three cases related to the involvement of children in prostitution, one was closed due to lack of evidence, one was referred for prosecution, and one is still under investigation. (1) Of the five cases related to the use of children in the production of pornography, three cases were closed due to lack of evidence, and two cases are still under investigation. The investigation into a case involving forced child labor was closed due to lack of evidence. (1) The Prosecutor General's Office also reported a case from 2019 in which a child in the Issyk-Kyl region was compelled to work as a shepherd to pay off a debt his parents had incurred. This case was referred for prosecution under Article 23 of the Constitution of the Kyrgyz Republic. (1)

During the reporting period, criminal investigators in Bishkek and Chuy Province received training from UNODC on investigation methods for cases involving human trafficking. (46) Investigators also received training from local NGOs on the NRM and how to refer suspected human trafficking cases to the NRM. (36)

Reports suggest that Kyrgyz police officers exploit human 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. (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
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. (15) Operates according to the Regulations on the Procedure for the Identification of Children and Families in Difficult Situations. (52) Continued to operate in 2020. (4)
Coordination Council for Social Protection and Children's Rights	Develops policies and programs to enhance the provision of social services and guarantee children's rights. Chaired by the Deputy Prime Minister, and includes members from both government and civil society. (53) Research was unable to determine whether the Coordination Council was active during the reporting period.
Anti-Trafficking in Persons Task Force	Parliamentary group that coordinates and oversees work to combat trafficking in persons. (50) In 2020, convened to develop best practices for investigating human trafficking and reviewing and reinvestigating trafficking cases that had been improperly dismissed. (36)
Regional Trafficking in Persons Coordination Councils	Coordinate local implementation of the National Action Plan to Combat Trafficking in Persons in all seven provincial governments and the city of Osh. (54) Research was unable to determine whether the Regional Coordination Councils were active during the reporting period.

In 2020, the State Inspectorate issued a decree establishing a tripartite agreement between the Ministry of Education, Ministry of Labor and Social Development, and MOIA to enhance inter-agency coordination on the elimination of violence against children, including the worst forms of child labor. (4)

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Reports indicate that the Children's Affairs Commission lacks adequate procedures to conduct needs assessments for traumatized children, such as those who have been subjected to commercial sexual exploitation or other worst forms of child labor, hindering its ability to effectively accomplish its mandate. (19,55) Observers have also noted that the inability of social services providers to participate in child labor investigations impedes the ability of the Children's Affairs Commission to fulfill its mandate. (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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Program for the Support of Family and Protection of Children (2018–2028)	Includes action items on addressing child labor, including revising the hazardous work list for children, enhancing social services for vulnerable children and families, and creating an Action Plan on the Prevention and Elimination of Child Labor. (56) In 2020, the government approved an updated list of hazardous jobs prohibited for children under age 18. (4,27)
National Action Plan to Combat Trafficking in Persons (2017–2020)	Aimed to improve the legal framework on human trafficking; improve dissemination of information on human trafficking risks for migrants and vulnerable populations; raise awareness about protections for victims and criminal penalties for perpetrators; and improve coordination among government agencies, NGOs, and international partners. (57,58) In 2020, the government assessed progress on the National Action Plan (2017–2020) as having achieved 33 out of 38 policy goals. (36)

In 2020, the government convened an Inter-Departmental Working Group to develop a new Program to Combat Trafficking in Persons for 2021–2024. As part of the development of this program, the Working Group drafted a National Action Plan to Combat Trafficking in Persons (2021–2024) that is awaiting approval. (36)

Although the government drafted a new Action Plan on the Prevention and Eradication of Child Labor (2020–2024) in 2019 as a sub-component of the Program for the Support of Family and Protection of Children (2018–2028), this draft Action Plan was not implemented during the reporting period. Sources report that political instability in the Kyrgyz Republic in 2020 may have contributed to the delay in authorization and implementation of this plan. (4)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Cash Transfer Program†	Government-funded cash transfer program for families living in difficult situations, including families with children engaged in child labor. (4) In 2020, cash assistance from the Ministry of Labor and Social Development continued to be available to such families. (4,37) However, based on available information, the amount of assistance appears to be low, and some families face barriers to accessing these benefits. (59,60)
Ministry of Education and Science (MOES) National School Attendance Database‡	Unified online database maintained by MOES to monitor school enrollment and attendance. Based on these data, government ministries and local government officials can identify and assist children who may be vulnerable to child labor. (4,6) In 2020, MOES used the database to generate a list of micro-areas with low rates of school attendance. MOES subsequently worked with MOIA to identify 691 children who were not attending school and were engaged in child labor. (6)
Shelters for Trafficking Victims†	Includes two 24-hour shelters funded by the government and operated by NGOs that serve victims of violence of all ages, including child trafficking victims. One center is located in Bishkek and the other is in Osh. (36) MOIA also operates two daytime children's shelters, also located in Bishkek and Osh. These shelters continued to provide services in 2020, but they were closed for a portion of the reporting period due to the COVID-19 pandemic. (36)

† 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. (61)

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In 2020, the State Inspectorate conducted awareness-raising events about child labor for families and for employers, including farmers and members of agriculture cooperatives. (5,7)

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 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 apply to all children, including those working without an employment contract.	2014 – 2020
	Criminally prohibit and penalize the use of a child for prostitution, and ensure that laws prohibiting offering of children for prostitution cover all children under age 18.	2019 – 2020
	Ensure that the law's light work provisions specify the activities in which children may undertake light work.	2020
Enforcement	Lift the moratorium on labor inspections and ensure that the labor inspectorate conducts routine, targeted, and unannounced labor inspections, and assesses penalties as appropriate.	2018 – 2020
	Publish complete information about the State Inspectorate on Ecological and Technical Safety's efforts to enforce prohibitions on child labor, including information on the Inspectorate's funding, the number of labor inspections conducted, and the number of penalties assessed and collected.	2011 – 2020
	Strengthen the labor inspection system by providing child labor training for new labor inspectors, and provide to all labor inspectors refresher courses on child labor that include information about changes to child labor laws.	2014 – 2020
	Ensure that child labor violations identified by criminal enforcement agencies are appropriately referred to the State Inspectorate on Ecological and Technical Safety, and that penalties are assessed as appropriate.	2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice and ensure that inspectors have adequate resources to conduct inspections.	2012 – 2020
	Conduct targeted inspections in all sectors in which children are highly vulnerable to child labor, including agriculture.	2020
	Ensure that the State Inspectorate on Ecological and Technical Safety and relevant social services providers have the capacity to adequately implement the child labor complaint mechanism.	2019 – 2020
	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 – 2020
Coordination	Ensure that the procedures for needs assessment of the Children's Affairs Commission are appropriate for traumatized children, including children who were engaged in the worst forms of child labor.	2019 – 2020
	Strengthen the Children's Affairs Commission by empowering relevant social services providers to assist, as appropriate, with investigations related to child labor.	2020
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
Government Policies	Implement a comprehensive policy to address all relevant forms of child labor.	2020
Social Programs	Ensure that all children have access to free education, including children with disabilities, those living and working on the street, those lacking residence registration, and those without birth certificates and guardianship documents.	2009 – 2020
	Ensure that social programs, such as the Cash Transfer Program, provide sufficient benefits to reduce vulnerability to child labor and are accessible to families.	2019 – 2020
	Expand existing programs to address the scope of the child labor problem, particularly in commercial sexual exploitation and in agriculture, including cultivating cotton.	2014 – 2020

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In 2020, Lebanon made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting year, the Internal Security Forces reported conducting two training sessions, one for social violence and child labor and a separate training for junior officers who will be in charge of judicial investigations in regional units. However, children in Lebanon are subjected to the worst forms of child labor, including in construction and in forced labor in agriculture, sometimes as a result of human trafficking. Children also engage in child labor in the production of potatoes and tobacco. Laws related to forced labor do not meet international standards as there is no legislative provision that provides criminal penalties for forced labor, and debt bondage is not criminally prohibited. Furthermore, the Ministry of Labor's budget was unable to cover equipment, personnel, and transportation costs to conduct inspections. In addition, labor inspectors do not have the authority to inspect informal workplaces, in which child labor in Lebanon is most prominent, and 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 are subjected to the worst forms of child labor, including in construction and in forced labor in agriculture, sometimes as a result of human trafficking. (1-2) Children also engage in child labor in the production of potatoes and tobacco. (3,4) Table 1 provides key indicators on children's work and education in Lebanon. 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 (%)	5 to 14	Unavailable
Combining Work and School (%)	7 to 14	Unavailable
Primary Completion Rate (%)		Unavailable

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (5)  
Data were unavailable from International Labor Organization's analysis, 2021. (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 potatoes, olives, beans, figs, grapes, eggplants, and cannabis (2-4,7-14)
	Production of tobacco† (14-16)
	Fishing, activities unknown (7)
Industry	Construction,† including carpentry, tiling, and welding† (2-4,7,8,11,15,17)
	Working in cement factories† (17,18)
	Making handicrafts (19,20)
	Working in aluminum factories (8,21)
	Working in textile factories (22,23)
Services	Street work,† including begging, street vending, portering, washing cars, scavenging garbage,† and shining shoes (2,4,7,8,11,24-27)

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

Sector/Industry	Activity
Services	Maintenance and repair of motor vehicles,† and painting† (8,11,19,23,25)
	Domestic work† (7,8,11,19,28)
	Cleaning sewage† and collecting waste materials, including scrap metal (11,19)
	Food service,† including working as waiters (3,8,16)
	Working in slaughterhouses† and butcheries (19)
	Working in small shops (3,7,15,16,19,25)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including the production and trafficking of drugs, sometimes as a result of human trafficking, and arms dealing (4,25)
	Forced begging, sometimes as a result of human trafficking (2,13,24,25)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,19,23,29,30)
	Forced labor in agriculture, sometimes as a result of human trafficking (1-4,11,19)

† 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.

Multiple crises have converged on Lebanon that have increased the rate of child labor, including a national economic crisis that began in 2019 and continued to worsen throughout the reporting period, the prolonged presence of Syrian refugees, and the COVID-19 pandemic, which has created new barriers to education and accelerated economic decline. (7,12,20,31) Lebanon has experienced protracted economic and political crises since anti-government protests began in 2019. Shortly after the Port of Beirut explosion on August 4, 2020, the Lebanese Government resigned and a caretaker government was still in place at the end of the reporting period. (7) The limited powers of the caretaker government restricted the government's ability to respond to the multiple crises it faced as more than half the country fell below the poverty line. (7) UNICEF reported that the rate of child labor increased from 2.6 percent to 4.4 percent during the reporting period, with agriculture and street work making up most of the increase. (7,32)

UNHCR estimates that there were 1.5 million Syrian refugees in Lebanon in 2020 and 88 percent of them are living below the extreme poverty line, making Syrian refugee children vulnerable to exploitation. (33) Child labor is also prevalent in other refugee communities in Lebanon, including the Palestinian and Iraqi communities. (20,34) Syrian refugee children are subjected to forced labor in agriculture. (1-3,19) 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. (1,12,35,36) An estimated 75 percent of Syrian refugee children working in the Bekaa Valley do so in agriculture. (37) Adult Syrian refugees face legal restrictions that allow them to work only in agriculture, construction, and sanitation. (19,38) These restrictions on adults make children vulnerable to child labor. (11,39)

Children in Lebanon, particularly Syrian refugee children, face barriers to accessing education, including the cost of transportation and supplies, 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. (3,4,7,15,16,40) In 2020, the government continued its policy of admitting all refugee children regardless of whether they have the required documentation for school enrollment. (7) However, the public school system in Lebanon lacks the capacity to accommodate the large number of school-age Syrian refugee children. (20) Despite the official policy of schools being open to all, in practice, some refugees have been denied access to schools. (4) Moreover, students without documentation are only eligible to receive a certificate, rather than a diploma, causing some undocumented students to drop out. (4) Before the pandemic, more than 50 percent of Syrian refugee children and 35 percent of Palestinian refugee children were not enrolled in formal education. (25,41,42) Children with disabilities, particularly refugee children, were unable to attend school due to insufficient accessibility or inadequacy of facilities, lack of specialized facilities, or unavailability of tailored services for children with disabilities. (40,43) In addition, the economic crisis has precipitated a movement of Lebanese children from private schools to public schools, putting further strain on an overburdened system. (7) Lebanese




and refugee children who work in agriculture often do not attend school during harvesting and planting seasons. (44) One local organization observed a direct correlation between school dropout rates and an increase in child labor. (25)

On March 2, 2020, the government suspended the 2019–2020 academic year due to the pandemic, interrupting the education of more than 1 million children, including 200,000 Syrian refugees. (7) In October and November, schools resumed functioning using a hybrid online and in-class strategy. However, the lack of electricity and Internet continued to prevent some children from accessing remote learning. (7) According to UNICEF, only 35 percent of school-age children had some access to remote learning, and insufficient Internet speeds still prevented one-third of those students from continuing their education remotely. (7,32)

## 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	No	14	Article 22 of the Labor Code (45)
Minimum Age for Hazardous Work	Yes	18	Article 1 of Decree No. 8987 (46)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Annex 1 of Decree No. 8987 (19,46)
Prohibition of Forced Labor	No		Article 8 of Decree No. 3855; Article 569 of the Penal Code (47,48)
Prohibition of Child Trafficking	Yes		Articles 586.1 and 586.5 of the Penal Code (48)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 506, 523, 525–527, 586.1, and 586.5 of the Penal Code; Decree No. 8987(46,48)
Prohibition of Using Children in Illicit Activities	Yes		Articles 586.1, 586.5, and 618 of the Penal Code; Article 13 of the Law on Drugs (48,49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 30 of the National Defense Law (50)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		

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**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 586.1 of the Penal Code; Annex I of Decree No. 8987 (46,48)
Compulsory Education Age	Yes	15‡	Article 49 of the Education Law (51)
Free Public Education	Yes		Article 49 of the Education Law (51)

\* No conscription (52)

‡ Age calculated based on available information (34)

The Labor Code only applies to workers who perform work in industrial, trading, or agricultural enterprises and excludes domestic work and non-industrial, non-trade agriculture. (45) This does not conform to international standards that require all children to be protected by the minimum age for work.

In Lebanon, basic education is compulsory. (51) Children generally complete basic education at age 15. (34) The minimum age for work is lower than the compulsory education age, which may encourage children 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. (48,53)

The law does not sufficiently prohibit commercial sexual exploitation, as the use of children in the production of pornography is not criminally prohibited. (46,48)

### 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 enforcement agencies 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. (4) The Ministry's Child Labor Unit raises public awareness about child labor and the right to education. Receives complaints of child labor violations on its Child Labor Unit hotline. (4)
Internal Security Forces	Enforces laws regarding child labor through the Anti-Human Trafficking and Morals Protection Bureau. (4)
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. (4) Refers at-risk children to shelters and protection services. Coordinates, through signed agreements, with civil society organizations to provide social workers who oversee court proceedings involving juveniles and deliver services to them, including children engaged in begging. (4)
Directorate of General Security	Focuses on immigration and border protection. Works with the farmers' union to address child labor in agriculture. (4)

#### **Labor Law Enforcement**

In 2020, 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 (MOL) 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	2019	2020
Labor Inspectorate Funding	Unknown (4)	Unknown (7)
Number of Labor Inspectors	34 (4)	34 (54)
Inspectorate Authorized to Assess Penalties	No (55)	No (55)
Initial Training for New Labor Inspectors	Unknown (4)	Unknown (7)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Labor Inspections Conducted	Unknown (4)	Unknown (7)
Number Conducted at Worksite	Unknown (4)	Unknown (7)
Number of Child Labor Violations Found	Unknown (4)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (7)
Routine Inspections Conducted	Unknown (4)	Unknown (7)
Routine Inspections Targeted	Unknown (4)	Unknown (7)
Unannounced Inspections Permitted	Yes (55)	Yes (55)
Unannounced Inspections Conducted	Unknown (4)	Unknown (7)
Complaint Mechanism Exists	Yes (4)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (7)

In 2020, virtually all labor inspections conducted were the result of complaints, which are received through an MOL-operated hotline or the Child Labor Unit webpage. (7) In addition, government officials in the past have expressed frustration that they can only conduct inspections in formal places of employment, in which child labor is nearly non-existent. (4,19,20,56) Government officials indicate that funding is insufficient to properly carry out their duties. However, the MOL reported that a car has been provided for inspectors by the ministry. (54) Research was unable to determine whether this was sufficient to meet inspectors' transportation needs.

Lebanon's public sector hiring freeze, instituted in 2019, remained in effect throughout the reporting period, preventing the MOL from hiring additional inspectors. (54) The number of labor inspectors is likely insufficient for the size of Lebanon's workforce, which includes more than 2.1 million workers. (4,57) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Lebanon would employ about 144 labor inspectors. (58,59)

According to local observers, the MOL'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. (25)

The government does not publicly release information on its labor law enforcement efforts. (19)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (4)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Investigations	10 (4)	98 (7)
Number of Violations Found	8 (4)	98 (7)
Number of Prosecutions Initiated	7 (4)	Unknown (7)
Number of Convictions	Unknown (4)	1 (7)



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

Overview of Criminal Law Enforcement	2019	2020
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (4)	Yes (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (7)

In 2020, routine training courses were cancelled due to the pandemic. Nonetheless, the Internal Security Forces (ISF) reported conducting two training sessions, one for social violence and child labor and a separate training for junior officers who will be in charge of judicial investigations in regional units. (7)

During the reporting period, the ISF investigated 98 potential trafficking cases involving children. (7) The ISF reported that a man was sentenced to 3 years in prison and fined for attempting to sell his minor son. (7)

Despite these efforts, the ISF's anti-trafficking unit is reportedly underfunded and understaffed, and it has no field offices outside Beirut. (2) The Ministry of Justice has stated that a lack of sufficient human resources hindered the government's ability to address child labor. (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 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	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. (20) Sources indicate that the National Steering Committee on Child Labor has not met since 2018. (7)
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. (20) Active in 2020. (2)
UNICEF and UNHCR	Coordinate efforts to address the needs of children affected by the Syrian refugee crisis in Lebanon. UN representatives identify crucial concerns, including factors that make children vulnerable to child labor. (20) Make recommendations to the government on the use of resources, including referral services. (20) UN agencies and international and local NGOs coordinate child protection efforts through Child Protection Working Groups. (19) Active in 2020. (60,61)

## 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 End Street Begging by Children	Seeks to end child begging by ensuring legal protection for street children, building capacity to protect street children, rehabilitating and reintegrating street children, and conducting outreach regarding the problem. (4) Research was unable to determine whether any steps were taken to implement this action plan during the reporting period.
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. (62,63) Research was unable to determine whether any steps were taken to implement this work plan during the reporting period.
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. (64) Research was unable to determine whether any steps were taken to implement this work plan during the reporting period.

The National Action Plan on the Elimination of the Worst Forms of Child Labor expired in 2019, and the government did not renew or extend it.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Protection Program	Joint program by UNICEF and the Ministry of Social Affairs. Addresses child labor through interventions, including a non-formal education program for children, child protection services, skills development, and social assistance. (4) In 2020, UNICEF estimated that approximately 1,785 children were provided with assistance and case management support. In addition, 6,025 children engaged in child labor received education, social, or child protection assistance. (66)
Reaching All Children with Education (RACE II) (2017–2021)	Donor-funded, 5 year project, implemented by the Ministry of Education and Higher Education and partners to ensure quality educational 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. (67) Active in 2020. (68)
National Poverty Alleviation Program†	Funded by the government and foreign donors, this program housed at the Prime Minister's Office and the Ministry of Social Affairs provides WFP food vouchers (\$27 per month) for each member of poor families. It also provides school tuition and book costs for secondary school students from 43,000 poor families. (43) Active in 2020. (69)

† Program is funded by the Government of Lebanon.

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 construction and forced child labor in agriculture. Moreover, a perceived lack of social services makes some officials reluctant to remove children trafficked by their families. (13)

## 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 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
	Ensure that the minimum age for work applies to all children, including informal workers, domestic workers, and all agricultural workers.	2019 – 2020
	Ensure that the use of a child in commercial sexual exploitation is criminally prohibited.	2019 – 2020
	Ensure that forced labor and debt bondage are criminally prohibited.	2015 – 2020
Enforcement	Ensure that there is an adequate mechanism to receive and log child labor complaints and refer them for investigation.	2017 – 2020
	Track and publish information on labor law enforcement.	2009 – 2020
	Authorize the labor inspectorate to assess penalties.	2015 – 2020
	Provide Ministry of Labor inspectors with proper funding and the necessary transportation.	2011 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2020
	Publish information on criminal enforcement of child labor laws, including the number of prosecutions initiated.	2009 – 2020
	Ensure that criminal law enforcement agencies, including the Internal Security Forces' anti-trafficking unit, have the necessary funding and staff to investigate and prosecute criminal cases of child labor in accordance with the law.	2017 – 2020

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the National Steering Committee on Child Labor meets and carries out its duties.	2019 – 2020
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.	2017 – 2020
	Ensure that government policies on child labor are implemented.	2020
	Adopt a new action plan to combat the worst forms of child labor.	2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020
	Ensure access to public education for all children, including refugees, by improving transportation, addressing bullying and harassment, accommodating students with disabilities, and improving facilities.	2010 – 2020
	Expand programs, including social services for human trafficking victims, to fully address the extent of child labor, including in construction and forced labor in agriculture.	2013 – 2020

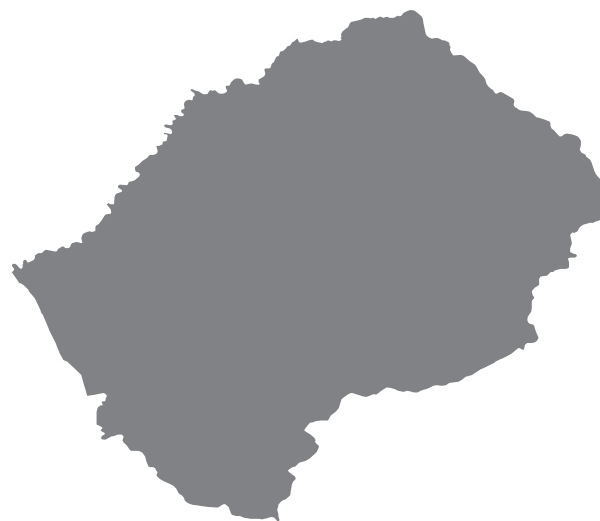
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In 2020, Lesotho made moderate advancement in efforts to eliminate the worst forms of child labor. Lesotho's legislature passed an amendment to the Anti-Trafficking in Persons Act that removes the requirement for proof of force, fraud, or coercion even in the case of sex trafficking for minors; the addition of this amendment brings the law up to international standards. The National Police also established the Trafficking in Persons and Migrant Control Unit within the Lesotho Mounted Police Service to oversee human trafficking cases. In addition, multiple trainings were conducted during the reporting period that included: Strategies to Combat Forced Labor; Modern Slavery and Human Trafficking; Countering Trafficking and Victim Identification; and National Shock Responsive Social Protection for the Multisector Impacts of COVID-19.

However, children in Lesotho are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in animal herding and domestic work. Lesotho's compulsory education age is below the minimum age for work, leaving children in between these ages vulnerable to child labor. The government also lacks sufficient coordination 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks related to animal herding and domestic work. (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	30.1 (Unavailable)
Attending School (%)	5 to 14	93.8
Combining Work and School (%)	7 to 14	32.1
Primary Completion Rate (%)		85.6

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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† (1,2,5)
	Farming, including planting, applying pesticides, and harvesting (5-10)
Services	Domestic work (1,2,5)
	Street work, including vending, and trading (5,6,8)
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 (6,10)

† 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

## MODERATE ADVANCEMENT

Lesotho is a source, transit, and destination country for human trafficking. Children involved in animal herding are exposed to harsh weather conditions, sometimes leading to death. (1,2,7) Children, especially orphans, sometimes voluntarily travel to other countries, including South Africa, for domestic work, and upon arrival they are subsequently detained in prison-like conditions and sexually exploited. (1,7)

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. (6,11) Due to the high rate of HIV among adults, many children in Lesotho become orphans and are vulnerable to human trafficking. (1,2,9,12,13) 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, which causes them to travel long distances. In Lesotho, primary education is free; however, secondary education incurs a fee that is cost prohibitive for many families. (1,5,17,24) Children with disabilities encounter difficulties with ill-equipped educational facilities and untrained teachers. These factors increase a child's vulnerability to the worst forms of child labor, such as human trafficking. (14)




UNICEF reported a 45 percent rate of birth registrations at the national level. NGOs confirmed that the low number of birth registrations results in children becoming stateless, which makes them more vulnerable to the worst forms of child labor. (15,16)

During the reporting period, the COVID-19 pandemic hindered children from accessing education. Although the government did offer online classes during this time, the classes were inconsistently delivered and inaccessible to children from poor families who overwhelmingly lack Internet access. (5)

## 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 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 228(1) of the Children's Protection and Welfare Act; Article 124(1) of the Labour Code (17,18)
Minimum Age for Hazardous Work	Yes	18	Article 230(1) of the Children's Protection and Welfare Act; Article 125(1) of the Labour Code (17,18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 230(3) and 231 of the Children's Protection and Welfare Act (17)
Prohibition of Forced Labor	Yes		Article 7(1) of the Labour Code; Article 9(2) of the Constitution; Article 5 of the Anti-Trafficking in Persons Act (18-20)
Prohibition of Child Trafficking	Yes		Article 5 of the Anti-Trafficking in Persons Act; Anti-Trafficking in Persons (Amendment) Act (2021) (20,21)
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 (17,22)
Prohibition of Using Children in Illicit Activities	Yes		Article 45(b) of the Children's Protection and Welfare Act (17)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 22(o) of the Children's Protection and Welfare Act (17)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 22(o) of the Children's Protection and Welfare Act (17)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 22(o) of the Children's Protection and Welfare Act (17)
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 (17,24)

\* No conscription (17)

‡ Age calculated based on available information (24)

During the reporting period, Lesotho's legislature passed an amendment to the Anti-Trafficking in Persons Act, 2011. The amendment removes the requirement for proof of force, fraud, or coercion even in the case of sex trafficking for minors. (5,21) The penalty is life in prison for aggravated forms of human trafficking such as forced labor cases involving rape or kidnapping, or which result in the death of the victim, and the new amendment removes the possibility of paying a fine in lieu of prison time. The law prescribes the same penalty for child trafficking. (5,21)

In 2020, the Ministry of Labor and Employment (MOLE) continued to update the Lesotho Labor Code, which is being drafted by the Parliamentary Council. The draft Labor Code maintains the minimum age of 15 for labor and strengthens provisions to combat the worst forms of child labor. (1,5,25)

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. (17,24,28)

### 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 operations of enforcement agencies that may hinder adequate enforcement of their child labor laws.

## MODERATE ADVANCEMENT

**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, and assesses compliance with child labor laws as part of general labor inspections. (25) Assigns labor inspectors to operate a child labor unit within the ministry and provides recommendations that support the expansion of inspections. (25)
Trafficking in Persons and Migrant Control Unit	Handles all trafficking in persons-related cases within the Lesotho Mounted Police Service. (26)
National Police, Child and Gender Protection Unit	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. (26)
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)

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 support the authorization of the labor inspectorate to conduct inspections in the informal sector; however, the recommendations have not yet been implemented. (6)

### **Labor Law Enforcement**

In 2020, 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.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (25)	\$796,465 (5)
Number of Labor Inspectors	30 (25)	31 (5)
Inspectorate Authorized to Assess Penalties	No (25)	No (5)
Initial Training for New Labor Inspectors	No (25)	No (5)
Training on New Laws Related to Child Labor	No (25)	No (5)
Refresher Courses Provided	Yes (25)	Yes (5)
Number of Labor Inspections Conducted	552 (25)	437 (5)
Number Conducted at Worksite	552 (25)	437 (5)
Number of Child Labor Violations Found	1 (25)	0 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (25)	N/A (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (25)	N/A (5)
Routine Inspections Conducted	Yes (25)	Yes (5)
Routine Inspections Targeted	Yes (25)	Yes (5)
Unannounced Inspections Permitted	Yes (25)	Yes (5)
Unannounced Inspections Conducted	Yes (25)	Yes (5)
Complaint Mechanism Exists	Yes (25)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (25)	Yes (5)

Lesotho has a referral mechanism that is maintained through the collaboration of different ministries. If a case of child labor is found by MOLE, the Ministry's inspectors will refer the case to NGOs and the Ministry of Social Development. (5) NGOs usually provide immediate material assistance, such as food, cash, or shelter, and the Ministry of Social Development conducts site and family visits and assists eligible children register for a child grant program. (5)

Reports indicate that funding is inadequate for the labor inspectorate to carry out inspections. In addition, labor inspections are not conducted in high-risk sectors, including the informal sector. (5,25)

### Criminal Law Enforcement

In 2020, 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 limited funding and personnel. (2,25)

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (25)	No (5)
Training on New Laws Related to the Worst Forms of Child Labor	No (25)	N/A (5)
Refresher Courses Provided	No (25)	No (5)
Number of Investigations	Unknown (25)	0 (5)
Number of Violations Found	0 (25)	0 (5)
Number of Prosecutions Initiated	0 (25)	0 (5)
Number of Convictions	0 (25)	0 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No(25)	No (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (25)	Yes (5)

The National Police's Child and Gender Protection Unit does not have guaranteed funding; rather, it receives funding from the general operations budget of the National Police. Research found that the Child and Gender Protection Unit has limited personnel and receives insufficient or no funding to carry out child labor investigations. (8,12) There is also no evidence of any funding for combating child labor being provided to the Public Prosecutor's Office or the Children's Court. (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/ National Task Team	Led by MOLE's Child Labor Unit, the team includes representatives from government ministries, trade unions, NGOs, and international organizations. A meeting was held on October 5, 2020, to review the 2014 Elimination of Child Labor Guidelines for Agriculture Sector and its translation into Sesotho; these guidelines include new guidance for the herding industry, which employs or involves many minor boys. (5)
National Orphans and Vulnerable Children Coordinating Committee	Strengthens coordination on issues related to orphans and vulnerable children at the national level. (25) During the reporting period, held a 2 day workshop for District Children's Protection Team members on the Violence Against Children report. (5) In addition, on June 12, 2020, Child Labour Day was virtually commemorated with live streaming on Facebook. (5)
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. (27) Met virtually three times and once in person in 2020. During the reporting period, the Prime Minister also established a cabinet-level sub-committee for combating trafficking in persons made up of six ministers. (26)
District Child Protection Teams	Coordinate 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. (27) Research was unable to determine whether any activities were undertaken during the reporting period.
Community Coordination Teams	Monitor, address, and refer instances of at-risk children or those involved in hazardous work. (1) Research was unable to determine whether any activities were undertaken during the reporting period.

Multiple trainings were conducted during the reporting period, which included: Strategies to Combat Forced Labor; Modern Slavery and Human Trafficking, facilitated by the African Regional Labor Administration Center; Countering Trafficking and Victim Identification, facilitated by IOM; and a National Shock Responsive Social Protection for the Multisector Impacts of COVID-19, which reviewed the impact of the pandemic on vulnerable groups such as children, and was facilitated by the Ministry of Social Development. (5)

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### 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 (2021–2026)	Supports national and international obligations and commitments regarding human trafficking, in line with the vision to eliminate all forms of trafficking in persons in Lesotho. Provides victim protection, guidance for the successful arrests and prosecutions of offenders, and preventive measures. (25,28)
Kingdom of Lesotho: Poverty Reduction Strategy Paper—National Strategic Development Plan (2018–2023)	Identifies child protection services (from the Child and Gender Protection Unit, social welfare and health agencies, and the justice system) and their capacity to respond adequately to cases of violence, abuse, and exploitation of children, including child labor. Outlines prevention measures. (1,29) Research was unable to determine whether actions were taken during the reporting period.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (1,6,25)

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. (1,5,6) In addition, the government has not included child labor elimination and prevention strategies in existing policies, such as the Education Sector Strategic Plan. (30)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Scholarship Program†	Government program that pays for tuition, uniforms, supplies, and boarding fees for orphans and vulnerable children. (1) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
School Feeding Program	Provides incentives for primary school children from impoverished backgrounds to attend school and improves retention. (1) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.
Child Grant Program	Provides social cash transfers to impoverished households, 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 with technical support from UNICEF. (1,31) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† 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. (1)

The government continued to incorporate human trafficking lessons in the primary school curriculum (Standard 7). (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 Lesotho (Table 11).



**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish age 15 as the age up to which education is compulsory to match the minimum age for full-time work.	2010 – 2020
Enforcement	Provide adequate funding and training for labor inspectors to carry out mandated duties.	2009 – 2020
	Ensure that criminal law enforcement agencies receive an adequate amount of funding, training, and resources with which to conduct inspections and investigations.	2020
	Ensure that labor inspections are conducted in all relevant sectors, including the informal sector.	2014 – 2020
	Ensure that the labor inspectorate is authorized to assess penalties, including those related to the worst forms of child labor.	2009 – 2020
Coordination	Ensure that all Coordination Teams are active and undertaking activities in support of their missions.	2018 – 2020
Government Policies	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 – 2020
	Ensure that all actions plans are active and being implemented according to their mandates.	2020
	Integrate child labor elimination and prevention strategies in existing youth policies, such as the Education Sector Strategic Plan.	2012 – 2020
Social Programs	Institute programs that address factors that promote child labor, including the high HIV rate in adults.	2017 – 2020
	Ensure that children with disabilities have equal access to education.	2018 – 2020
	Address educational and logistical gaps resulting in reduced opportunities for secondary education, including the shortage of teachers and schools and secondary school fees.	2018 – 2020
	Increase birth registrations of children to reduce their vulnerability to the worst forms of child labor.	2017 – 2020
	Expand existing programs to address the scope of the child labor problem and ensure that this information is publicly available.	2015 – 2020

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In 2020, Liberia made moderate advancement in efforts to eliminate the worst forms of child labor. Despite the COVID-19 pandemic, the labor inspectorate conducted 1,200 inspections at worksites in 2020, including over 100 unannounced labor inspections, compared to an estimated 236 inspections in 2019. In addition, the government investigated two suspected cases of child trafficking, initiated or advanced the prosecution of three cases, and convicted one individual who awaits sentencing. However, children in Liberia are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. In addition, Liberia has yet to accede to the United Nations Committee on the Rights of the Child's Protocol on Armed Conflict and the Protocol on the Sale of Children, Child Prostitution, and Child Pornography, and the minimum age for work is not in compliance with international standards. Moreover, social programs are not sufficient to address the scope of the problem in the country.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Liberia are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in the production of rubber and the mining of gold and diamonds. (3,4) Table I provides key indicators on children's work and education in Liberia.

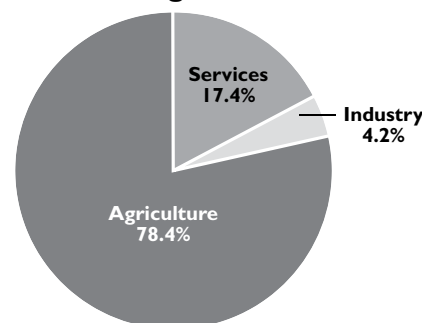
**Table I. Statistics on Children's Work and Education**

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 (%)		60.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2010. (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	Production of rubber, including cutting trees with machetes and using acid (1-4,7)
	Production of charcoal (3,4)
	Farming activities, including production of cocoa, coffee, cassava, and sugarcane (4)
Industry	Mining diamonds and gold, including washing gravel and using mercury and cyanide (1,2,4,8,9)
	Cutting and crushing stone (3,4,7,10)
	Construction, including carrying heavy loads† (3,4,7)
Services	Domestic work (4,7)
	Street work, including vending, begging, hawking goods, and carrying heavy loads (4,7,11-13)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including selling drugs (4,14)
	Forced labor in domestic work, street vending, mining, begging, and work on small rubber plantations, each sometimes as a result of human trafficking (1,2,4,9)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,4,15)

† 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.

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The National Commission on Child Labor (NACOMAL) did not collect any data on child labor in 2020 and the data collected in 2016–17 for an updated labor force survey has not yet been released by the Ministry of Labor (MOL). (4) While the government has yet to collect comprehensive data on child labor activities to inform policies and social programs, there are reports that children in rural communities engage in rubber tapping and coal burning activities, while children in cities and surrounding urban communities crush rocks, engage in domestic work, and sell goods. There are also reports that some children are subjected to hazardous labor in the artisanal mining of gold and alluvial diamonds with tasks that include washing gravel, processing ore, and working in mining shafts. (4,10) Children are also used to sell illicit drugs within the country by adults as a cover to evade arrest by law enforcement. (4) Traffickers generally operate independently and are often family members or respected members of the community who promise poor rural relatives and neighbors better economic or educational opportunities for themselves (in the case of young women) or their children but instead subject them to domestic servitude, forced begging, forced labor, street vending and sex trafficking. Children are also transported from Liberia to Côte d'Ivoire, Guinea, Nigeria, and Sierra Leone for work. (1,28)




In addition, there are reports that children residing at various orphanages within the capital of Monrovia and in other parts of the country are vulnerable to sexual exploitation due to a lack of basic necessities at the orphanages, including food. (4)

Section 9 of the Children's Law mandates free basic education from grades one to nine, but the cost of uniforms, transportation, books, and school supplies limits access to education for some children. In addition, family members often require children to work long hours, denying them the ability to attend school, even if they could eventually afford to do so. (4) 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. (4,7) In addition, some teachers sexually exploit students in exchange for the promise of good grades, resulting in children avoiding or dropping out of school. (4,7) Research also indicates the ongoing practice of temporarily removing boys and girls from formal schooling to participate in initiation rituals that transition a child into adulthood. Many children may not return to school after their participation in these initiation ceremonies, making them more vulnerable to child labor. (4,7)

## 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 1 year break between the compulsory education age and 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	Section 74 of the Labor Law; Article 21.2 of the Decent Work Act(17,18)
Minimum Age for Hazardous Work	Yes	18	Article 7, Section 9.1 of the Children's Law (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 21.4 of the Decent Work Act (18)
Prohibition of Forced Labor	Yes		Article 2.2 of the Decent Work Act; Article 7, Section 8 of the Children's Law; Article 12 of the Constitution; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (18-21)
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 (19,21)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 2.3 of the Decent Work Act; Article 3, Section 21 of the Children's Law; Article 1, Section 5 of the Act to Ban Trafficking in Persons Within the Republic of Liberia (18,19,21)
Prohibition of Using Children in Illicit Activities	Yes		Article 2.3 of the Decent Work Act; Chapter 16 of the Penal Code (18,22)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 3, Section 22 of the Children's Law (19)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 3, Section 22 of the Children's Law (19)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 3, Section 22 of the Children's Law (19)
Compulsory Education Age	No	14	Article 3, Section 9 of the Children's Law; Chapter 4 of the Education Reform Act (19,23)
Free Public Education	Yes		Article 3, Section 9 of the Children's Law (19)

\* No conscription (24)

The minimum age for work is not in compliance with international standards because it allows children younger than age 16 to engage in work as long as it is outside of school hours, the employer keeps records of the child's schooling, and the child is literate and attends school regularly. Because of this, children of any age may be vulnerable to child labor. Although the Decent Work Act prohibits children younger than age 15 from working full time, it does not prevent children below this age from engaging in part-time employment. (17,19,23) An updated version of the hazardous work list continues to be in draft form and has not yet been endorsed by the Ministry of Labor. (4,18)

### 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 enforcement agencies 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)	Conducts worksite inspections and addresses child labor violations. (4)
Ministry of Gender, Children and Social Protection (MOGCSPP)	Acts as the lead advisory agency on policy formulation, coordination, and monitoring of child protection 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, the UN CRC, and the African Union protocols on women and children. (7,25,26)



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

Organization/Agency	Role
Ministry of Justice (MOJ)	Promotes and executes the rule of law for public safety, including the prosecution of child labor perpetrators. (9)
Women and Children Protection Section (WACPS)	Investigates child endangerment cases and human trafficking in cooperation with the Liberian National Police (LNP) Anti-Trafficking Unit and the Liberia Immigration Service. (4)

During the reporting period, 45 children were removed from situations of exploitation or endangerment and referred to the Ministry of Gender, Children and Social Protection for social services or placed in protective shelters. It is unknown how many children were removed specifically from child labor situations. (4)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Liberia took actions to combat child labor. However, gaps exist within the operations of MOL that may hinder adequate labor law enforcement, including financial resource allocation (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (26)	Unknown (4)
Number of Labor Inspectors	51 (26)	49 (4)
Inspectorate Authorized to Assess Penalties	No (26)	No (4)
Initial Training for New Labor Inspectors	Yes (26)	Yes (4)
Training on New Laws Related to Child Labor	N/A (26)	N/A (4)
Refresher Courses Provided	Unknown (26)	Yes (4)
Number of Labor Inspections Conducted	236 (26)	1200 (4)
Number Conducted at Worksite	236 (26)	1200 (4)
Number of Child Labor Violations Found	Unknown (26)	0 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (26)	N/A (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (26)	N/A (4)
Routine Inspections Conducted	Yes (26)	Yes (4)
Routine Inspections Targeted	Yes (26)	Yes (4)
Unannounced Inspections Permitted	Yes (18)	Yes (18)
Unannounced Inspections Conducted	Yes (26)	Yes (4)
Complaint Mechanism Exists	Yes (26)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (26)	No (4)

The labor inspectorate reported conducting 1,200 inspections at work sites in 2020, including over 100 unannounced labor inspections, compared to an estimated 236 inspections in 2019. This marks a sharp increase in labor inspections, despite the pandemic, due to improved recordkeeping efforts by the government. (4)

Generally, labor inspections are conducted only in the formal sector and not in the informal sector in which children are more likely to be engaged in child labor. Inspectors are not legally able to inspect private farms or homes for underage child domestic labor. (3,4) In addition, the lack of funding and logistical support results in the underutilization of the labor inspectorate's complaint mechanism. (7,28) Although inspectors cannot assess penalties, they can impose corrective measures, such as issuing notices of compliance and filing a complaint with the hearing board. (4,7) However, the lack of penalty assessment authorization, limited funding, and insufficient fines, combined with poor opportunities for revenue generation in the informal sector, hamper the labor inspectorate's enforcement of child labor laws. (3,7,19,28)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Liberia 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 financial resource allocation.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (26)	Yes (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (26)	N/A (4)
Refresher Courses Provided	Unknown (26)	Yes (4)
Number of Investigations	Unknown (26)	2 (4)
Number of Violations Found	Unknown (26)	Unknown (4)
Number of Prosecutions Initiated	2 (26)	3 (4)
Number of Convictions	1 (26)	1 (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (26)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (26)	Yes (4)

Although MOL maintains a trafficking-in-persons hotline that can receive calls related to child labor, very few child labor calls come in. (4)

During the reporting period, the government investigated two suspected cases of child trafficking and initiated the prosecution of one case. The courts did not convict any traffickers. (4) In July 2020, the Ministry of Justice's Trans-National Crime Unit raided the offices of an employment agency and arrested two individual allegedly involved in the human trafficking of multiple victims, including teenage boys, to Liberia from neighboring countries under the guise of employment. Some of these victims were forced to engage in street hawking. (4)

Despite these efforts, research indicates the LNP's Women and Children Protection Section had limited training, financial, and physical resources, which hampered its ability to carry out investigations and other enforcement duties. (28) In addition, child labor is typically addressed as an issue of child endangerment, thereby causing a lack of reliable data on violations of child labor laws. (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 financial support.

**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 MOL and comprising representatives from 16 organizations, including international and civil society organizations. (29) Assists in coordinating child labor investigations. (30) 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. (29) NACOMAL celebrated the World Day against Child Labor on June 12 through media engagement and chaired one meeting of the National Steering Committee on Child Labor. (4)
National Steering Committee on Child Labor	Implements child labor policies. Chaired by NACOMAL and comprising government officials and workers' organizations. Includes four subcommittees on resource mobilization, advocacy, training and legal development, and monitoring and evaluation. (26) The committee met only once in 2020 due to pandemic-related restrictions. (4)
Child Protection Network	Coordinates child protection efforts, including child labor and human trafficking, and refers child victims of abuse to social services providers with support from international and national organizations. Chaired by the MOGCSF, and comprising MOL, the Ministry of Health and Social Welfare, the LNP's WACPS, civil society organizations, and several NGOs. (26) The Child Protection Network met consistently throughout the year, though research was unable to determine if actions were taken to combat child labor as a direct result of these meetings. (4)

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

Coordinating Body	Role & Description
Anti-Human Trafficking Task Force	Coordinates anti-trafficking activities. Chaired by MOL, comprising representatives from the Commissioner of the Bureau of Immigration and Naturalization; LNP; MOJ; Ministry of Foreign Affairs; Ministry of Internal Affairs; and civil society organizations. (7) The Task Force met approximately once a month, sometimes virtually, to share interagency information related to human trafficking cases. These meetings helped promote coordination between investigating authorities and service providers in at least three suspected cases of human trafficking. (4)

The National Commission on Child Labor (NACOMAL) reported insufficient funding to pursue their mandates. (4)

The government has a draft referral mechanism for child labor, but due to resource, capacity, and coordination constraints, cases were mostly handled outside the formal pathways and in an ad hoc manner. (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 a lack of implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan on the Elimination of Child Labor	Aims to reduce child labor and the worst forms of child labor by 50 percent by 2030 through 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 to reduce child labor, and increasing social services and protection for children of vulnerable households. (31) Research was unable to determine whether activities were undertaken to implement the National Action Plan on the Elimination of Child Labor during the reporting period.
National Action Plan for Trafficking in Persons (2019–2024)	Outlines the government's anti-trafficking efforts, including those for child victims, and creates benchmark goals related to trafficking in persons. (9,32) Establishes roles and responsibilities for coordinating government assistance to human trafficking victims and provides shelter and care to children who may have been human trafficking victims. (32) Research was unable to determine whether activities were undertaken to implement the National Action Plan for Trafficking in Persons during the reporting period.
National Child Welfare and Protection Policy	Focuses on the implementation and enforcement of existing child protection laws. (7) Research was unable to determine whether activities were undertaken to implement the National Child Welfare and Protection Policy during the reporting period.
National Social Welfare Policy	Prioritizes the development of action plans and policies that target children subjected to the worst forms of child labor, including child trafficking. (33) Research could not determine whether activities were undertaken to implement the National Social Welfare Policy during the reporting period.

Child labor elimination and prevention strategies are not included in the Revised National Youth Policy, the Education Sector Plan, the Rubber Industry Master Plan, or the National Employment Policy. (23,34-40)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 insufficient funding.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Anti-Trafficking Awareness Campaign†	Aims to raise public awareness of human trafficking through the use of radio and billboard messages. (4) With significant international support, Liberian security institutions conducted events around World Day against Trafficking in Persons (TIP, which included training security officials on TIP. (4)
Liberia Social Safety Nets Project (2017–2021)	During the reporting period, the Social Cash Transfer program was delayed in sending funds to 3,500 beneficiary households due to the pandemic. However, the project is on track to make the mobile money transfer to these beneficiaries in January 2021. (41) The government also included a temporary urban cash transfer program (SCT-COVID) given the disproportionate impact of the pandemic on the livelihoods of poor and vulnerable households in urban areas. (41) Under this new component, 15,000 households in selected poor communities of Greater Monrovia will be given a two-time cash transfer via mobile money. (41) Lastly, the Social Registry data collection commenced in early December 2020, which will help establish key national safety net delivery systems and provide support for low-income households. (26,41,42)
Shelters‡	MOGCSF-operated shelters for vulnerable street children in Lofa and Nimba County. (7,26) During the reporting period, the program provided shelter for approximately 35 children who are victims of abuse along with an additional 15 victims of gender-based violence. In addition, the government established a shelter for victims of human trafficking and child labor with capacity to accommodate at least eight victims at a time, with five additional mattresses on standby. (43) The Government of Liberia also made financial resources available for the establishment and management of a new shelter for victims of child labor and human trafficking and agreed to provide nighttime safety security for the shelters. (4)
Country Level Engagement and Assistance to Reduce Child Labor II (CLEAR II)	USDOL-funded project implemented by Winrock International and partners Verité and Lawyers Without Borders to build the capacity of the government to address child labor. During the reporting period, MOL participated in trainings that helped developed guidelines for child labor monitoring systems. (3,44) Additional information is available on the USDOL <a href="#">website</a> .
U.S. Government-Funded Projects	Projects that aim to improve access to education and improve child protection. Includes Accelerated Quality Education for Liberian Children and the McGovern-Dole International Food For Education and Child Nutrition Program, implemented by USDA. (26,45,46) In addition, International Development Law Organization (IDLO), with funding from the USDOS Bureau of International Narcotics and Law Enforcement Affairs, built the capacity of 63 law enforcement officers (Females: 17; Males: 46) from the Liberia Drug Enforcement Agency, Liberia Immigration Service, LNP, and MOL on trafficking in persons prevention and response. (4)

† 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. (47-53)

Research was unable to determine if data from the 2017 labor force survey, which reportedly includes a child labor component, were analyzed in 2020. (7,9,26,28) Although the government funds social programs, they are not sufficient to address all sectors in which child labor occurs, including in domestic work, the production of rubber, and the mining of gold and diamonds. (26)

## 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	Raise the compulsory education age to be consistent with the minimum age for employment.	2016 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, and there are hazards including the production of rubber, mining of diamonds and gold, and construction, including carrying heavy loads.	2020
	Accede to the UN CRC Optional Protocol on Armed Conflict.	2013 – 2020
	Accede to the UN Protocol on Minimum Age.	2020
Enforcement	Ensure that penalties for employing children under the minimum age for work are stringent enough to deter violations.	2014 – 2020
	Ensure that the minimum age for work applies to all children, including those who are employed less than full time and those who are working outside of school hours.	2016 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish information on the labor inspectorate's funding and the number of child labor violations found.	2016 – 2020
	Ensure labor inspections are conducted in all sectors in which children work.	2016 – 2020
	Authorize the labor inspectorate to assess penalties for child labor violations.	2017 – 2020
	Ensure that the labor inspectorate's complaint and referral mechanism is adequately supported and operational.	2017 – 2020
	Publish information on criminal law enforcement related to the worst forms of child labor, including the violations found and the penalties applied.	2017 – 2020
	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 – 2020
	Disaggregate the child endangerment cases prosecuted through the Ministry of Justice to determine the number of cases related to the worst forms of child labor.	2016 – 2020
Coordination	Ensure adequate funding for the National Commission on Child Labor's program activities to address child labor.	2017 – 2020
	Ensure that coordinating bodies, including the Anti-Human Trafficking Task Force, are implementing effective case referral mechanisms.	2019 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into relevant policies.	2010 – 2020
	Publish information about the activities taken to implement policies that address child labor.	2017 – 2020
Social Programs	Collect and publish comprehensive research data to determine child labor activities and to inform policies and programs.	2013 – 2020
	Improve access to education by subsidizing the cost of school-related costs and reduce barriers to education by building additional schools, addressing sexual abuse in schools, and providing adequate transportation.	2012 – 2020
	Ensure that children do not leave school before the completion of compulsory education.	2017 – 2020
	Expand existing social programs to address the scope of the child labor problem, especially in forced domestic work, the production of rubber, prostitution, and the mining of gold and diamonds.	2009 – 2020

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In 2020, Madagascar made moderate advancement in efforts to eliminate the worst forms of child labor. A national task force created to protect children developed an online portal enabling the public to report cases of child exploitation. Meanwhile, the National Bureau to Combat Human Trafficking conducted an assessment of the expired national action plan to combat human trafficking and finalized a new plan during the reporting period. In response to international reporting, the government drafted a national action plan to combat child labor in the mica sector. Finally, Madagascar expanded services provided through support and reintegration programs by creating new support centers in the cities of Toliara and Tolagnaro. Although Madagascar made meaningful efforts in all relevant areas, the government failed to investigate reports of some officials accepting bribes to produce and issue false identity documents to facilitate commercial sexual exploitation of minors. Children in Madagascar are subjected to the worst forms of child labor, including in domestic servitude and commercial sexual exploitation, sometimes as a result of human trafficking. Children also perform dangerous tasks in the mica mining sector and in agriculture, including in the production of vanilla. 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation and domestic servitude. Children also perform dangerous tasks in the mica-mining sector and in agriculture, including in the production of vanilla. (1-3) Table 1 provides key indicators on children's work and education in Madagascar. 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	43.2 (Unavailable)
Attending School (%)	5 to 14	68.8
Combining Work and School (%)	7 to 14	33.8
Primary Completion Rate (%)		63.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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 vanilla, cloves, coconut, rice,† and peanuts (2,6-10)
	Fishing and deep-sea diving,† including for lobster and shrimp (6,11-13)
	Herding cattle (14)
Industry	Mining† gold, sapphires, crystal, quartz, mica, and tourmaline, and transporting† blocks and stones at mining sites (3,13,15-18)
	Quarrying† and crushing† stone and making gravel (11,16,19)
	Brickmaking† (11,13)
Services	Street work, including begging, washing cars, market vending, transporting goods by rickshaw, and scavenging garbage (6,11-16,20)
	Working in bars,† including as waitresses, maids, and masseuses (1,14,20-22)
	Domestic work† (1,6,9,11,13,16)

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**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 (1,6,13,16,23-25)
	Use in illicit activities such as selling drugs and committing vandalism (26)
	Forced labor in mining, quarrying, begging, and domestic work (6,16,25,27)

† 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, particularly those from rural and coastal regions and from poor families, are vulnerable to commercial sexual exploitation, forced domestic servitude, forced begging, and forced labor in mining, fishing, and agriculture. (13,27,28) Girls in particular are lured by peers, family members, and pimps and subjected to commercial sexual exploitation in tourist locations, urban cities, vanilla-growing regions, and mining areas. (1,13,18,20,29) Children from rural villages are often sent to larger cities as domestic workers, where they are subjected to harsh working conditions, including long hours, poor accommodations, and low salaries. Girls working in domestic service are also more vulnerable to being raped by their employers. (11,13) In addition, children recruited by agencies into domestic work are sometimes subsequently subjected to commercial sexual exploitation. (27,28) Reports also suggest a recent increase in the commercial sexual exploitation of boys. (27,28) A source indicates that some government officials in tourist areas such as Nosy Be issue false identity documents to minors in exchange for bribes in order to facilitate child commercial sexual exploitation. (25) Despite these allegations, there have been no reports of government actions to investigate or prosecute public officials who participate in or facilitate child sex tourism. (25)

An estimated 47 percent of children ages 5 to 17 are engaged in child labor, with 32 percent working in hazardous conditions. The Matsiatra Ambony and Androy regions have the highest rates of working children. (11,30) Estimates from the ILO suggest that children work primarily in the informal sector and in agriculture, and perform hazardous work in agriculture, mining, and fishing. (13) In addition to economic challenges brought about by the COVID-19 pandemic, drought and famine-like conditions in the southern region of Madagascar have exacerbated poverty conditions and pushed more than 100,000 children to the brink of starvation, prompting them to abandon school to beg or forage for food. (31,32) The combination of economic insecurity, hunger, and lack of education may put more children at risk of labor exploitation.




Recent reports indicate that an estimated 10,000 children work in the mica sector in the southern region of Madagascar, including in constructing mines, extracting and sorting mica, and hoisting loads of mica out of mines. Young girls are also vulnerable to commercial sexual exploitation around mica mining sites. (3,13,28) Children as young as age 10 are involved in mining gold and sapphires in the regions of Analamanga, Anosy, Ilakaka, and Vakinankaratra. Children in the mining sector suffer from diseases such as diarrhea and malaria, as well as respiratory problems due to inadequate equipment, and are at risk of injury from collapsing mines. (6,13,15,18,20) In addition, children working in the production of vanilla in Madagascar are exposed to toxic substances and extreme temperatures. They also transport heavy loads and work for long hours. (9,10,33,34) There are reports that children are increasingly recruited by adults to engage in vanilla theft because they are less likely to be pursued by security forces or subjected to mob retaliation. (12) In fishing, children dive deep underwater with no protection or breathing devices, while children involved in stone quarrying use dangerous tools with no protection and work in the outdoor heat. (11)

Although the Constitution guarantees free compulsory education, in practice, access to education is often limited for some children. Barriers to education include a lack of school infrastructure, unqualified teachers, limited transportation to schools in rural areas, costs for school fees and supplies, and school violence, all of which leave children vulnerable to the worst forms of child labor. (9,13,29,35-38)

## 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; Articles 1, 39, 41, and 261 of Law 2008-011; Article 2 of Decree 2018-009 (37,39-41)
Minimum Age for Hazardous Work	Yes	18	Article 101 of the Labor Code; Article 10 of Decree 2007-563 (39,42)
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 (39-42)
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 (39-44)
Prohibition of Child Trafficking	Yes		Articles 15 and 23 of Decree 2007-563; Articles 333 and 335 of Law 2007-038; Articles 1, 6, 8, 13, and 22 of Law 2014-040 (42-44)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13, 23, and 24 of Decree 2007-563; Article 335 of Law 2007-038; Article 1 of Law 2014-040 (42-44)
Prohibition of Using Children in Illicit Activities	Yes		Articles 11, 14, and 23 of Decree 2007-563 (42)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 11 of Ordinance No. 78-002 (45)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 11 of Ordinance No. 78-002 (45)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 15 and 23 of Decree 2007-563 (42)
Compulsory Education Age	Yes	16‡	Article 24 of the Constitution; Article 39 of Law 2008-011 (37,41)
Free Public Education	Yes		Article 24 of the Constitution (37)

\* No conscription

‡ Age calculated based on available information (41)

During the reporting period, the government initiated processes to amend its Labor Code to bring it into compliance with international standards. However, these efforts were halted due to the pandemic. (13)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE)	Enforces child labor laws, trains inspectors, and coordinates and evaluates efforts to eliminate child labor. Also oversees national and regional child labor coordination committees. (13,35,36,46)
Ministry of Justice	Enforces laws pertaining to violence against children, including human trafficking and commercial sexual exploitation. (13,21,46) Works with Department-level courts to prosecute child labor cases. (11,13,47)
Ministry of Public Security's 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. (6,13,21,46) Employs an all-female police unit (Proximity Female Brigade) that works with victims of violence, including child workers, by conducting investigations, directing victims to social services, and raising awareness. (13)
Ministry of National Defense's National Gendarmerie Morality and Child Protective Services	Investigates criminal cases involving children, including those related to the worst forms of child labor, mainly in rural areas. (13,46,48)
Ministry of Population, Social Protection, and the Promotion of Women (MPPSPF)	Develops and implements programs to protect vulnerable children, including victims of the worst forms of child labor. (13) In collaboration with UNICEF, manages around 700 child protection networks to protect children in all 22 regions of Madagascar. (13,27,49,50)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Madagascar took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Civil Services and Labor's Division for the Prevention, Abolition, and Monitoring of Child Labor (PACTE) that may hinder adequate labor law enforcement, including the ability to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	\$31,820 (13)
Number of Labor Inspectors	148 (11)	147 (13)
Inspectorate Authorized to Assess Penalties	No (11)	Yes (39)
Initial Training for New Labor Inspectors	Yes (11)	Yes (13)
Training on New Laws Related to Child Labor	N/A (11)	N/A
Refresher Courses Provided	No (11)	No (13)
Number of Labor Inspections Conducted	Unknown	Unknown (13)
Number Conducted at Worksite	Unknown	Unknown (13)
Number of Child Labor Violations Found	446 (11)	Unknown (13)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (11)	0 (13)
Number of Child Labor Penalties Imposed that Were Collected	0 (11)	0 (13)
Routine Inspections Conducted	Yes (11)	Yes (13)
Routine Inspections Targeted	Yes (11)	Yes (13)
Unannounced Inspections Permitted	Yes (39)	Yes (39)
Unannounced Inspections Conducted	Yes (11)	Yes (13)
Complaint Mechanism Exists	Yes (11)	Yes (13)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (13)

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. (51,52) The government itself has noted that the current number of inspectors is insufficient, indicating that its inspector workforce is not even able to cover the formal sector, much less the informal sector, in which most child labor occurs. (11,13) In addition, the concentration of labor inspectors in the capital hampers the enforcement of child labor laws in rural areas, especially in the agricultural sector. (6,35) Although the budget for the labor inspectorate in 2020



was distributed evenly to all regions in the country, the government indicated that funding was not sufficient to effectively carry out inspections nor cover the expenses of regional offices, most of which do not have transportation to carry out inspections. In addition, the union of labor inspectors noted that in the context of the pandemic, the government had not provided sufficient resources to enable them to carry out their duties. (13)

Labor inspectors use a specialized form during inspections to help detect child labor. Even though the labor inspectorate has the authority to conduct unannounced and routine inspections, in practice, most inspections occur in response to complaints received. (11,13) While the government did not report the number of child labor violations identified in 2020, research has shown that when violations are found, penalties are not applied. The government did not provide information on the number or types of inspections conducted, nor on the number of violations identified for inclusion in this report. (11,13)

While child labor-related training is provided to new inspectors, PACTE has indicated that the course is only 20 hours and insufficient to cover all relevant issues, particularly because refresher courses are not provided. (11,13) In addition, although Madagascar's list of hazardous occupations for children was expanded in 2018, reports indicate that the government was slow to disseminate the law's new requirements and has not taken steps to enforce it. (12) Madagascar has a complaint mechanism via a national hotline; however, most of the calls received are related to general violence against children. The mechanism does not have a record-keeping system to track calls specifically related to child labor issues. (11,13)

In November 2020, Madagascar's union of labor inspectors went on strike to demand back pay and the authority to assess penalties. The work stoppage continued at least through January, even though some inspectors continued to work. (13,53) It was prompted in part by the delay in approval of a decree developed by PACTE and the ILO that would enable labor inspectors to impose administrative sanctions, suspend the activities of any workplace that engages in the worst forms of child labor, and have authority over employers of domestic labor. (11,13)

### **Criminal Law Enforcement**

In 2020, 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 allocation of financial and human resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (11)	Yes (13)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Yes (13)
Refresher Courses Provided	No (11)	Yes (13)
Number of Investigations	942 (11)	Unknown (13)
Number of Violations Found	51 (11)	Unknown (13)
Number of Prosecutions Initiated	Unknown	Unknown (13)
Number of Convictions	Unknown	Unknown (13)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Yes (25)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (13)

In August 2020, a national task force including the Ministry of Justice, MPPSPF, the National Police, and the Gendarmerie, established the Internet Watch Foundation global portal, which allows the public to anonymously report online images and videos of sexual abuse of children in Madagascar. The portal also notifies law enforcement agencies in the country. (13) In addition, the Ministry of Justice established a new mechanism to process court cases to streamline the prosecution of gender-based violence cases, in which many victims are child workers. (13)

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During the reporting period, the Morals and Minors Brigade police unit reported that out of 803 complaints received originally for allegations of child abuse, police identified 14 victims of child trafficking and 44 victims of child domestic work. (25) In addition, the National Gendarmerie Morality and Child Protective Services identified two cases of commercial child sexual exploitation. An active civil society effort in Toliara to pressure police to take action against child sex traffickers resulted in 5 separate investigations, 11 arrests, and 1 conviction in various cases pertaining to commercial child sexual exploitation. (25) The government did not provide complete information on its criminal law enforcement trainings, investigations, violations found, prosecutions, or convictions related to the worst forms of child labor for inclusion in this report.

Reports indicate that there is a lack of trained staff, equipment, and transportation at all levels of government to adequately conduct criminal law enforcement efforts related to the worst forms of child labor. (6,11,25,54,55) Furthermore, weaknesses across Madagascar's court system hamper efforts to prosecute perpetrators of the worst forms of child labor. (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 allocation of financial resources.

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

Coordinating Body	Role & Description
National Committee on the Fight Against Child Labor	Coordinates programs and advises on child labor legislation and regulations. (20,56,57) During the reporting period, led efforts to draft a national action plan to combat child labor in the mica sector. (13)
National Regional Child Labor Committees	Coordinate, monitor, and evaluate all activities relating to the elimination of child labor in each of Madagascar's 10 regions. Identify activities to promote the elimination of child labor and compile, analyze, and report child labor data to PACTE. (46,57,58) In 2020, proceeded with a project to develop commune-level committees in the SAVA region, with 25 out of 31 communes covered by July 2020. (13)
National Bureau to Combat Human Trafficking	Coordinates anti-human trafficking efforts in Madagascar and is responsible 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. (21,43,56,59) Conducted an evaluation of the expired National Action Plan to Combat Trafficking in Persons, including carrying out data collection for a 3 year retrospective report that was pending final approval by the Prime Minister in 2020. (13) In collaboration with the ILO, UNICEF, and IOM, drafted a new National Action Plan to Combat Trafficking in Persons, which is now pending final review and approval by the Prime Minister. (13,25)
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. (46,60) Due to pandemic restrictions in 2020, a plan to revise the decree that established the committee was not implemented, and the members of the committee were inactive during the reporting period. (13)

Although the National Committee on the Fight Against Child Labor (CNLTE) developed a national strategy that identified the roles various ministries would play in combating child labor in the mica sector, the government amended its budget in 2020 to redirect funds intended for child labor activities to other priorities deemed more important during the pandemic. Overall, the CNLTE, the Regional Child Labor Committees, and the National Bureau to Combat Human Trafficking lack sufficient funding to effectively operate and coordinate efforts to address child labor. (9,12,13,26,28,36,38,47)

## 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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Joint Action Plan to Address Issues Affecting Children and Households in Mica Exploitation in the Anosy Region†	Developed in 2020 through a joint initiative between the Ministries of Mining, Labor, and Population, aims to reduce child labor in the production of mining in the southern region. Drafted in collaboration with international and civil society organizations, was presented for government approval in November 2020. (13,62)
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. (64-67) During the reporting period, the Ministry of Tourism continued its assessment of enforcement of the code. The ministry released its report in December 2020, noting that 63 percent of survey respondents were familiar with the code, while 92 percent of code signatories indicated they had carried out trainings on it. (13)
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 MPPSPF and supported by international donors. (56,68) Research was unable to determine whether activities were undertaken to implement the Social Security Policy 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. (72,73)

Madagascar's National Action Plan to Eliminate the Worst Forms of Child Labor expired in 2019. The CNLTE had planned to conduct an assessment of the plan in 2020 but was unable to do so due to restrictions related to the pandemic and consequent budgetary changes, and no steps have been taken to develop a new action plan. Similarly, the National Action Plan to Combat Trafficking in Persons expired in 2019. (13)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Support and Reintegration Centers‡	Government program that provides social and reintegration services for victims of child labor and child exploitation. Includes the <i>Manjary Soa</i> Center, the <i>Vonjy</i> Centers in Antananarivo, Toamasina, Nosy Be, and Mahajanga, and the <i>Centre d'Accueil d'Urgence</i> emergency shelter. (13,20,21,74) Remained in operation in 2020, with the government establishing two new <i>Vonjy</i> centers in Toliara and Tolagnaro. The emergency center reported receiving 134 children during the reporting period, many of whom were mistreated domestic workers. (13) The <i>Manjary</i> Center, operated by PACTE, reported providing services to 30 children who were removed from exploitative labor situations, including domestic and street labor. (13)
USDOL-Funded Projects	<u>Eliminating Child Labor in Mica-Producing Communities and Promoting Responsible Mica Sourcing in Madagascar and Globally (MICA)</u> ,* a \$4.5 million project awarded in December 2020 to be implemented by the United Nations Development Programme; (78) and <u>Supporting Sustainable and Child Labor Free Vanilla-Growing Communities in SAVA (SAVABE)</u> , a \$4 million project implemented by the ILO that aimed to reduce child labor in the vanilla-producing areas of the Sava Region. (79) In its final year in 2020, the latter project conducted a series of trainings for vanilla sector professionals, including representatives from vanilla export companies, on strategies to combat child labor. (13) Additional information is available on the USDOL <a href="#">website</a> .
UNICEF Country Program	UNICEF-funded a \$197,815 program that supported the government's efforts to improve education, health, nutrition, and protection for children in Madagascar. (12,80) In 2019, Madagascar requested and was approved for an extension of the program into 2020. (81,82) In 2020, UNICEF completed a formative evaluation of the program, including the extension, and Madagascar is expected to submit a new country program document for a second regular program starting in 2021. (83,84)

\* Program was launched during the reporting period.

† 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. (16,46,61,85-88)

In 2020, MPPSPF inaugurated a center that combats gender-based violence in Antananarivo, the second of its kind in the capital city. The centers provide medical care and psychological support and access to law enforcement, legal representation, and vocational training. (13)

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The Ministry of Population manages the child protection network in coordination with other ministries, including the Ministry of Labor's regional child labor committees to combat child exploitation, including trafficking, and provide social and health service to child victims. (13,27) While the network remained active during the reporting period, with 700 functioning networks that referred over 1,600 children for services, research has shown that the government does not adequately fund all the networks or provide access to public hospitals and health units, requiring the networks to rely heavily on international organizations to provide services. (13,27)

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. (6,16,38,61)

## 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 Madagascar (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Enforcement	Investigate and prosecute public officials who are allegedly complicit in or facilitate the worst forms of child labor.	2019 – 2020
	Publish complete enforcement information related to child labor, including the number and types of labor inspections conducted and the number of violations found.	2013 – 2020
	Ensure that inspectors and criminal law enforcement officials receive appropriate and regular training on child labor issues.	2019 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that the labor inspectorate receives adequate funding to enforce child labor laws and to conduct a sufficient number of inspections, including in rural and agricultural areas and the informal sector.	2009 – 2020
	Ensure that inspectors regularly exercise their authority to conduct routine unannounced inspections rather than conduct inspections primarily in response to complaints.	2019 – 2020
	Ensure that when encountered, children are removed from child labor situations and that penalties for child labor violations are applied.	2019 – 2020
	Enhance the effectiveness of existing complaint hotline databases by gathering separate data on child labor-related complaints.	2009 – 2020
	Disseminate and enforce the new decree expanding the list of hazardous occupations for children.	2018 – 2020
	Publish criminal law enforcement data on the types of trainings conducted, the number of violations found, the number of investigations and prosecutions initiated, and the number of convictions achieved with respect to the worst forms of child labor.	2013 – 2020
	Ensure that criminal law enforcement agencies have sufficient staff, equipment, and transportation to combat the worst forms of child labor.	2019 – 2020
Enforcement	Strengthen the court systems to ensure perpetrators of the worst forms of child labor are properly investigated, prosecuted, and sentenced.	2020
Coordination	Ensure that relevant coordinating mechanisms are adequately funded and are actively implementing their mandates.	2014 – 2020
Government Policies	Ensure that policies related to child labor are implemented, and report on yearly actions taken.	2016 – 2020
	Develop and adopt a new National Action Plan to Eliminate the Worst Forms of Child Labor, and finalize new versions of expired policies, such as the National Action Plan to Combat Trafficking in Persons.	2019 – 2020
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 – 2020
	Ensure that social protection systems have adequate funding to provide appropriate services to victims of the worst forms of child labor.	2014 – 2020
	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, begging, and mining.	2014 – 2020
	Collect and publish comprehensive data on child labor prevalence in Madagascar.	2020

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In 2020, Malawi made moderate advancement in efforts to eliminate the worst forms of child labor. The government brought into force the International Labor Organization 2014 Protocol to the Forced Labor Convention and the 2001 Safety and Health in Agricultural Convention, which increase protections against forced labor and child labor in agriculture, respectively. The government also adopted an updated National Action Plan on the Elimination of Child Labor, established district-level coordinating committees to improve responses to child trafficking at the local level, and, with the support of the International Labor Organization, launched a 4-year initiative to address decent work deficits in the tobacco sector, including elimination of child labor. In addition, criminal law enforcement officers increased the number of investigations, prosecutions, and convictions related to the worst forms of child labor. However, children in Malawi are subjected to the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, each sometimes as a result of human trafficking. Although the government made meaningful efforts in all relevant areas during the reporting period, minimum age laws do not meet international standards because protections do not extend to children working in private homes and non-commercial farms. Prohibitions related to the use of children for illicit activities also do not meet international standards. Moreover, 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 are subjected to the worst forms of child labor, including in the harvesting of tobacco and in commercial sexual exploitation, each sometimes as a result of human trafficking. (1) Table I provides key indicators on children's work and education in Malawi.

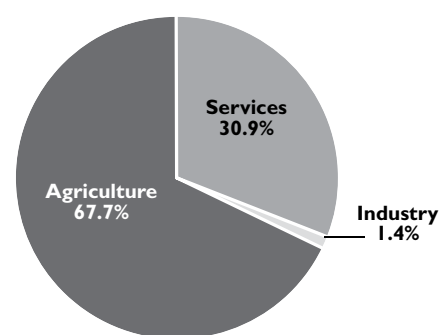
**Table I. Statistics on Children's Work and Education**

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 (%)		80.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (Simpoc), 2015. (3)

**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 tea (1,4,5)
	Planting and harvesting tobacco, clearing land, building tobacco-drying sheds, cutting and bundling, weeding, and plucking raw tobacco† (1,4,6-10)
	Herding livestock (11,12)
	Fishing (1)
Industry	Brickmaking† (12)
	Construction,† activities unknown (11,12)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Domestic work in third-party homes (11,13,14)
	Begging† (1)
	Vending (11,15,16)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,17-19)
	Herding goats and cattle; farming, including tobacco; fishing; brickmaking; domestic work; and work in small businesses such as rest houses and bars, each sometimes as a result of human trafficking (4,18,20,21)
	Forced begging (18)
	Use in illicit activities, including the sale and trafficking of drugs (11,22)

† 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.

Children in Malawi are engaged in hazardous work in the production of tobacco. (11,23-25) Children who handle tobacco risk illness from nicotine absorption, including green tobacco sickness. (24,26) They are exposed to pesticides, chemicals, and harsh weather conditions; they also utilize sharp tools. (24) Some children work alongside family members who are tenants on tobacco farms. (6,24,27) 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 from farm owners during the growing season; in many cases, they are unable to repay these debts, resulting in them, and often their families, falling into debt bondage. (6,28) Many children working under these conditions do not attend school. (24)

Most child trafficking for labor in Malawi takes place within the country. (17) Traffickers transport boys from southern Malawi to the central and northern regions for forced labor on tobacco farms, herding of goats and cattle, and brickmaking. (17,18,29) Children in Malawi are subject to human trafficking to other countries, including Mozambique, South Africa, Tanzania, and Zambia. (30,31) Traffickers may charge children for their clothing, food, housing, and transport; children may be forced to work in debt bondage because of these charges. (28) Girls from rural areas sometimes move to larger cities in search of work. In some cases, they receive clothing and lodging from brothel owners and, if unable to find other work, the brothel owners may exploit them in commercial sex work to pay off their debts. (6,18,29) Public reporting indicates that there has been an increase in child trafficking, and other worst forms of child labor, including work on tobacco farms, resulting from school closures during the COVID-19 pandemic. (32,33)




Primary education is tuition-free, and in September 2018, the government abolished secondary school fees to facilitate access to secondary education. (34,35) However, considerable barriers to education exist, including families’ inability to pay required school-related expenses, such as books and uniforms. (14,36) Long distances, a lack of teachers, poor school infrastructure, and the lack of water, electricity, feminine hygiene products, 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 by both peers and teachers. (11,13,25,36) Additionally, many girls in grades six to eight are withdrawn from school to perform domestic work at home. (14)

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 become orphaned, are at increased risk of leaving school early and entering into the worst forms of child labor. (37-39)

## 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	✓
 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 2020, the government brought into force the 2014 protocol to the Forced Labor Convention (ILO C. 029) and the Safety and Health in Agriculture Convention of 2001 (ILO C. 184), after initially ratifying the conventions in 2019. (11,40) These instruments extend to the tobacco sector, in which children in Malawi are subject to both forced labor and hazardous work conditions, and commit the government to a minimum age of 18 for agricultural labor. (41,42)

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.

**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 (43)
Minimum Age for Hazardous Work	Yes	18	Section 22 of the Employment Act; Section 23 of the Constitution (43,44)
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 (45)
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 (43,44,46-48)
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 (46-48)
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 (46-48)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 19 of the Defense Force Act (49)
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 (34)
Free Public Education	Yes		Articles 2 and 13 of the Education Act (34)

\* No conscription (49)



# Malawi

## MODERATE ADVANCEMENT

Malawi currently lacks a specific 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. (6,50,51) The government has drafted an amendment to the Employment Act that would abolish the tenancy system, though it has delayed consideration of the bill in Parliament pending the finalization of an ILO study on the policy effects of abolishing the tenancy system. (1)

Section 21 of the Employment Act sets the minimum age for employment at age 14 in agricultural, industrial, or non-industrial work. (43) The minimum age does not extend to workers in private homes, such as in domestic work, or non-commercial agriculture, sectors in which children work. (43,52,53) The minimum working age is also lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (34) Malawi law does not have criminal provisions for the use of children in illicit activities, such as the selling of drugs. Furthermore, 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.

### 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 enforcement agencies 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. Through its Child Labor Unit, monitors and implements child labor law compliance through child labor monitoring visits. (54,55) Coordinates with the Ministry of Homeland Security and the Ministry of Gender, Community Development and Social Welfare (MGCDSW) to investigate and refer children for social services, respectively. (1)
District Labor Offices	Enforce child labor and trafficking in persons laws at the district level. (1)
Malawi Police Service	Investigates suspected cases involving the worst forms of child labor. Analyzes and operationalizes systems to track human trafficking trends. (1,56)
Ministry of Homeland Security	Enforces human trafficking laws and prosecutes human trafficking offenses. (1)
Ministry of Justice	Prosecutes criminal offenders. (1,57)
Tobacco Commission	Oversees the regulation of the tobacco industry and enforcement of the Tobacco Industry Bill, including child labor issues. (11,58) Receives annual reports from tobacco growers on child labor issues in their supply chains, including efforts to prevent and eliminate child labor, and may penalize growers, including canceling contracts, of growers who fail to satisfactorily report on child labor in their annual reports to the Commission. (1,58)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Malawi took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (MOL) 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	2019	2020
Labor Inspectorate Funding	\$198,924 (59)	Unknown (11)
Number of Labor Inspectors	78 (59)	Unknown (1)
Inspectorate Authorized to Assess Penalties	No (11,43)	No (1,43)
Initial Training for New Labor Inspectors	Yes (11)	Unknown (1)
Training on New Laws Related to Child Labor	Yes (11)	N/A
Refresher Courses Provided	Yes (11)	Yes (1)

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

Overview of Labor Law Enforcement	2019	2020
Number of Labor Inspections Conducted	Unknown (11)	Unknown (1)
Number Conducted at Worksite	Unknown (11)	Unknown (1)
Number of Child Labor Violations Found	10 (59)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (11)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	N/A (11)	Unknown (1)
Routine Inspections Conducted	Yes (11)	Yes (1)
Routine Inspections Targeted	Yes (11)	Yes (1)
Unannounced Inspections Permitted	Yes (43)	Yes (43)
Unannounced Inspections Conducted	Yes (11)	Yes (1)
Complaint Mechanism Exists	Yes (11)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (1)

Under Malawi law, child labor is a criminal offense; as such, labor investigators refer violations related to child labor to criminal law enforcement authorities for investigation and imposition of penalties. (43) The government did not provide information on its labor law enforcement efforts for inclusion in this report; however, research indicates that funding resources are likely inadequate to enforce laws related to child labor. (6, 11, 14) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Malawi would need to employ roughly 175 labor inspectors as its workforce consists of over 7 million workers. (60, 61) Due to personnel and resource constraints, most labor inspections take place in or near major towns where district labor enforcement offices are located, leaving workplaces in remote and rural locations less protected. (17) To increase monitoring of the tobacco sector, MOL and tobacco companies entered into a memorandum of understanding (MOU) that includes industry support for training of labor inspectors and financing of labor inspections on tobacco farms, such as covering transportation costs to inspection sites. The MOU also establishes a complaint mechanism by which field technicians working for tobacco companies report child labor findings to labor officers for follow-up investigation and response. (1, 62) In 2020, tobacco companies provided training for labor officers on identification of child labor occurring on tobacco farms. (1)

During the reporting period, MOL launched a new tip program for individuals to report potential labor law violations through phone calls, social media, and at labor offices. (1) In addition, MOL, with funding from the African Development Bank, is developing a labor information management system to capture and store information on labor law violations, including child labor cases. (62) Labor officers received training on using the new information management system. (1)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Malawi 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (59)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (59)	N/A (1)
Refresher Courses Provided	No (59)	No (1)
Number of Investigations	3 (17)	9 (1)
Number of Violations Found	4 (17)	16 (1)
Number of Prosecutions Initiated	13 (17, 59)	15 (1)
Number of Convictions	4 (17)	12 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (17)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (1)

# Malawi

## MODERATE ADVANCEMENT

During the reporting period, the Malawi Police, in coordination with members of the Mchinji District Coordinating Committee Against Trafficking in Persons and non-governmental organizations, made arrests of human traffickers in Mchinji District, bordering Zambia, which resulted in the rescue of at least 14 children. (33) In a separate case, police arrested two men for crimes related to human trafficking, resulting in the rescue of two children who were being taken to Mozambique for work on maize farms. (21)

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. (63) In addition, police sometimes arrest and detain child sex trafficking victims alongside adults. In some instances, these children fall victim to abuse, including sexual extortion, by the police. (1,64)

### 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 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, with MOL acting as the main technical advisor and secretariat, and includes representatives from government ministries, trade unions, employers, development partners, and civil society organizations. (37,65) Also includes the National Technical Working Group on Child Labor and Protection, which oversees child protection issues and development of child labor elimination strategies for approval by the National Steering Committee on Child Labor. (59) During the reporting period, the National Steering Committee on Child Labor finalized and launched the Child Labor Mainstreaming Guide and National Action Plan on the Elimination of Child Labor. (1)
District and Community Child Protection Committees	Coordinate all child protection activities at the district and community level and improve local coordination on child protection issues. District and community child protection committees were active during the reporting period, with at least one district committee participating in a trainer of trainers workshop on child labor elimination and responses. (1)
National Coordination Committee Against Trafficking in Persons	Coordinates and oversees investigations and prosecutions, training, victim care, and human trafficking data collection. (66) Mandated by the Trafficking in Persons Act of 2015. (54) In 2020, the committee established district coordinating committees on Trafficking In Persons in Karonga, Mzimba, Dedza and Mangochi districts, bringing the total number of district coordination committees to six across the country. The other two districts are Mchinji and Phalombe. (67) The national committee also facilitated the development of an action plan for all district coordination committees and conducted sensitization meetings in Mangochi, Mchinji, and Phalombe to facilitate the establishment of the district coordination committees. (67)

MOL officials, district child protection committees, and community child protection committees lack standard guidelines for training on child labor issues, leading to lapses in case management and coordination of child labor responses. MOL is coordinating with Winrock International to develop uniform guidance and training procedures to respond to child labor. (1) These efforts included a 3-day workshop for 20 members of the Mzimba District Child Labor Committee on child labor prevention and responses. (1,68)

In 2020, the government, with the support of Winrock International, launched the Child Labor Mainstreaming Guide to advise government departments and public sector organizations, at both the national and district levels, on integrating child labor prevention and elimination mechanisms into their activities. (11,69)

### 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 Child Labor (2019–2025)†	Outlines the government's strategies for the elimination of the worst forms of child labor. (1,70) During the reporting period, the government launched and finalized the National Action Plan to align with the ILO's Decent Work Country Program for Malawi; however, the government has not yet made the policy publicly available. (1)
National Children's Policy (2019–2025)	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. (69) Research was unable to determine whether activities were undertaken to implement the National Children's Policy during the reporting period.
National Action Plan for the Child (2019–2025)	Reinforces child labor elimination through awareness raising and vocational training to vulnerable children and children withdrawn from child labor. (11,59) Research was unable to determine whether activities were undertaken to implement the National Action Plan for the Child 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. (71,72) In 2020, the National Coordination Committee Against Trafficking in Persons worked to strengthen the implementation of the National Plan of Action at the local level through the development of District Coordination Committees, drafting an action plan for District Coordination Committees, and conducting sensitization meetings. (67)

† Policy was approved during the reporting period.

Although the Government of Malawi has adopted a National Youth Policy and a National Education Sector Plan, child labor elimination and prevention strategies have not been integrated into these policies. (77,78)

The government is reviewing a draft Child Labor Policy, which will incorporate a light work framework and drafts of the National Action Plan for Vulnerable Children and the Child Strategic Plan to replace policies that expired in 2019, but has yet to launch or make these policies available to the public. (1,59)

As of 2019, Malawi is a Pathfinder country under Alliance 8.7, which involves accelerating commitments toward the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030; the government intends to participate in a strategic meeting, with the ILO, in 2021 to outline its commitments as a pathfinder country. (1)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Child Labor Monitoring System†	MOL system in pilot districts that identifies working children. Collects various data including school attendance. (1) 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†	MGCDSW-led program that supports low-income families in high-risk districts to enable children to stay in school. As of 2020, 621,074 children had received benefits under the cash transfer program. (1) In 2020, the government made monthly social cash transfers to 290,000 households across the country, with 6,240 child-headed households receiving benefits under the program. (1)
Education Assistance Programs†	Government-funded programs to provide educational assistance and support for vulnerable families. (1) Includes the Complimentary Basic Education Program, \$1.1 million project that promotes school enrollment for children removed from child labor. As of 2020, the government has 12,000 early childhood development centers, providing services to 2.4 million children; in addition, around 2,158,428 primary school learners receive assistance with school meals. (1) Also includes the National Early Childhood Program, a MGCDSW-led program that supports pre-schools and parenting groups. MGCDSW, with support of civil society, was undertaking an expansion of the National Early Childhood Program in early 2020. (1,79)
Orphans and Vulnerable Children Intervention†	\$4.9 million USAID and President's Emergency Plan for AIDS Relief-funded program that, in partnership with MGCDSW, 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. (1) Research was unable to determine whether activities were undertaken to implement the Orphans and Vulnerable Children Intervention program during the reporting period.

## MODERATE ADVANCEMENT

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

Program	Description
ILO-funded Programs	Includes Accelerating Action for the Elimination of Child Labor in Supply Chains (ACCEL), a partnership with the Ministry of Foreign Affairs of the Netherlands, targeting elimination of child labor in the coffee and tea sector by addressing the root causes of child labor; strengthening knowledge sharing and collaboration among supply chain actors, and improving policy, legal, and institutional frameworks. (1,75,80) During the reporting period, the program held consultations with government and community stakeholders and supported the Employers Consultative Association of Malawi to develop an action program to promote child labor elimination policies and practices across the private employment sector. (1,81) In addition, the ILO, with the Government of Malawi, conducted a qualitative study of the tenancy system to inform government policies; a quantitative study, measuring the number of families under the tenancy system, will be undertaken in 2021, with partial funding support from USDOL through its <u>Measurement, Awareness-Raising, and Policy Engagement (MAP-16) Project on child labor and forced labor</u> . (1,82) In 2020, the ILO and the Government of Norway, in coordination with the Government of Malawi, signed a cooperative agreement to launch Addressing Decent Work Deficits and Improving Access to Rights in Malawi's Tobacco Sector; a \$2 million, 4-year program to address decent work deficits, including child labor and forced labor, in the tobacco sector. (1,83) Finally, through the Research to Action (R2A) program, the ILO, with funding from USDOL, engaged in discussions with the Government of Malawi to map policies and knowledge gaps to develop a National Research Agenda to inform evidence-based policymaking. (84)

† 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. (1,52,59,73,85-88)

The government, with the EU, UNICEF, and the U.S. Centers for Disease Control and Prevention, support programs to increase birth registration and data collection in various districts across the country. (76,85,89) The government worked with the ILO to develop an updated Decent Work Country Program, to outline key programming priorities related to child labor prevention and elimination. (1) In addition, the Tobacco Commission launched a pilot "Know Your Grower" campaign, which involves collection of data from tobacco-growing farmers, including farmers under the tenancy system; the data include household characteristics, number of family members, and sources of inputs. The government will use the data to inform policies and interventions, and will make the information available to tobacco companies. (1,62) Moreover, Care Malawi, a Malawi-based NGO, with tobacco industry funding, launched a 4-year project to target elimination of child labor in Mchinji and Ntchisi districts, with an emphasis on the agricultural sector. (1)

An evaluation of the National Social Cash Transfer Program found that it had achieved little reduction of child labor, as the work of children only shifted from outside to inside the household, resulting from families using funds from the program to expand their household agricultural activities. (90) 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 legal protection for children working in the tenancy system.	2009 – 2020
	Ensure that all forms of children's work, including work conducted by children in private homes (domestic services) and on non-commercial farms, receive legal protection, including a minimum age for work that complies with international standards.	2009 – 2020
	Raise the minimum age for work from 14 years to the age up to which education is compulsory.	2018 – 2020
	Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.	2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Publish information on labor law enforcement efforts.	2016 – 2020



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase resources to the labor inspectorate to conduct regular labor inspections, including in remote and rural areas.	2009 – 2020
	Ensure the number of labor inspectors in Malawi meets the ILO's technical guidance.	2017 – 2020
	Institutionalize training for criminal law enforcement investigators, including providing refresher courses.	2019 – 2020
	Ensure that children who are victims of commercial sexual exploitation do not fall victim to sexual extortion and are not arrested or detained.	2018 – 2020
Coordination	Ensure that there is standardized approach and guidance to training and responding to child labor to strengthen coordination and referral mechanisms.	2020
Government Policies	Make publicly available key national policies, including the National Action Plan on the Elimination of Child Labor and the National Action Plan for the Child.	2019 – 2020
	Publish activities undertaken to implement the National Children's Policy and the National Action Plan for the Child during the reporting period.	2020
	Adopt national child labor and child protection policies, with consideration to child labor in agriculture, domestic services, and other sectors in which children in Malawi are working.	2009 – 2020
	Integrate child labor elimination and prevention strategies into the National Education Sector Plan and the National Youth Policy.	2011 – 2020
Social Programs	Ensure that additional educational costs, inadequate school infrastructure and number of teachers, long travel distances to reach schools, exposure to sexual violence, and the impact of HIV/AIDS do not serve as barriers to education.	2012 – 2020
	Ensure that all children are registered at birth, and increase efforts to register children who are not issued birth certificates at birth.	2018 – 2020
	Publish activities undertaken to implement the Child Labor Monitoring Systems and the Orphans and Vulnerable Children Intervention during the reporting period.	2017 – 2020
	Improve harmonization of child labor prevention and elimination measures into the National Social Cash Transfer Program to increase its effectiveness in preventing and removing children from child labor.	2020
	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 – 2020

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In 2020, Maldives made moderate advancement in efforts to eliminate the worst forms of child labor. In February 2020, the government enacted a new Child Rights Protection Act that criminalizes child labor below the age of 16 and child exploitation, including the use of children to sell drugs. The government also enacted a new Education Act in November 2020 that provides for free public education. During the reporting period, the government reported 335 incidents of commercial sexual exploitation involving children, of which 120 cases resulted in prosecution, and 65 incidents of children being used in illicit activities, including drug trafficking, of which 20 cases were prosecuted. The government also increased the labor inspectorate budget from \$572,984 to \$929,457. However, although research is limited, there is evidence that children in Maldives are subjected to the worst forms of child labor, including forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. The government has not identified specific hazardous occupations or activities that are prohibited for children, and the law does not sufficiently prohibit the commercial sexual exploitation of children. Moreover, the government does not have a policy or program to address 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 are subjected to the worst forms of child labor, including forced labor in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-5) Information on children's work is limited because a national survey on child labor has not been conducted. Table 1 provides key indicators on children's work and education in Maldives.

**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 (%)		91.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 2009. (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
Services	Domestic work (2,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2-5,8)
	Forced labor in domestic work, sometimes as a result of human trafficking (1,2)
	Use in illicit activities, including the trafficking of drugs (2,3,8)

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

Maldivian children from the outer islands are brought to the capital, Malé, for domestic work. Once there, some of these children from impoverished families may be more vulnerable to sex trafficking. (2,9) Some are reported to be victims of forced labor and sexual abuse. (2) In addition, some girls from Bangladesh are believed to be victims of human trafficking to Maldives for the purpose of commercial sexual exploitation. (10) There are also some reports of foreign tourists engaging in commercial sexual exploitation of children. (2,11)




# Maldives

## MODERATE ADVANCEMENT

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Maldives 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 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; Article 26 of the Child Rights Protection Act (12,13)
Minimum Age for Hazardous Work	Yes	18	Section 7 of the Employment Act (12)
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 (12,14)
Prohibition of Child Trafficking	Yes		Sections 12–15 of the Prevention of Human Trafficking Act (14)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 17–19 of the Special Provisions Act to Deal with Child Sex Abuse Offenders (15)
Prohibition of Using Children in Illicit Activities	Yes		Section 133(c)(1) of the Drugs Act; Article 122 of the Child Rights Protection Act (13,16)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Law on the Protection of the Rights of Children (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	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; Article 14 of the Education Act (17-19)
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; Articles 17–20 of the Education Act (17-21)

\* No conscription (22)

In February 2020, the Child Rights Protection Act came into effect. (3,8,23,24,25) The new Act takes steps to ensure compliance with international child protection laws and standards, and criminalizes child labor below the



age of 16 and child exploitation, including the use of children to sell drugs. The Act also established a Children's Ombudsperson who has oversight functions to ensure that the rights of children are not violated. (3,26) During the reporting period, the government also enacted a new Education Act that provides for free public education. (3,19,21,27)

The law does not sufficiently prohibit commercial sexual exploitation, because the use, procurement, and offering of a child for pornographic performances are not criminally prohibited. The government also has not determined the types of hazardous work prohibited for children. (3)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Labor Relations Authority, Ministry of Economic Development	Enforces the Employment Act, including child labor provisions. Conducts labor inspections and issues fines for violations. (12,28)
Family and Child Protection Wing, Maldives Police Service (MPS)	Investigates complaints of child labor and commercial sexual exploitation. Refers cases to the Prosecutor General's Office for prosecution and to the Ministry of Gender, Family, and Social Services to provide victim services. (20) Employs eight officers in Malé to investigate child labor cases, including child commercial sexual exploitation and child pornography cases. (20) In 2020, expanded and renamed from Family and Child Protection Departments to Family and Child Protection Wing. (3)
Family and Child Protection Services, Ministry of Gender, Family, and Social Services	Receives referrals of children who have been exploited, including in commercial sexual exploitation and drug trafficking, and provides care for such victims. (8,28)
Anti-Human Trafficking Department, MPS	Investigates human trafficking-related offenses and enforces laws prohibiting trafficking in persons, including cases of child trafficking. (8) Employs five officers to investigate human trafficking cases. (20,29) During the reporting period, the former Anti-Human Trafficking Unit was upgraded to a separate Department and is working on increasing its capacity to handle trafficking cases with more personnel and specialized units, although these are not yet in place. (5)
Children's Ombudsperson*	Established in 2020 pursuant to the Child Rights Protection Act. Has oversight functions to ensure that the rights of children are not violated. (3) Tasked with determining the extent to which state institutions adhere to the Child Rights Protection Act as well as the Convention on the Rights of the Child, enforcing the implementation of the Act and the Convention, and monitoring and evaluating institutions and personnel involved in protecting children's rights. (26)

\* Agency responsible for child labor enforcement was created during the reporting period.

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Maldives took actions to combat child labor (Table 6). However, gaps exist within the operations of the Labor Relations Authority that may hinder adequate labor law enforcement, including labor inspector training for new inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$572,984 (8)	\$929,457 (21)
Number of Labor Inspectors	15 (8)	17 (3)
Inspectorate Authorized to Assess Penalties	Yes (12)	Yes (12)
Initial Training for New Labor Inspectors	No (8)	No (3)
Training on New Laws Related to Child Labor	N/A (8)	N/A (3)
Refresher Courses Provided	No (8)	No (3)
Number of Labor Inspections Conducted	230 (8)	62 (3)
Number Conducted at Worksites	230 (8)	62 (3)

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

Overview of Labor Law Enforcement	2019	2020
Number of Child Labor Violations Found	0 (8)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (8)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	N/A (8)	N/A (3)
Routine Inspections Conducted	Yes (8)	Yes (3)
Routine Inspections Targeted	Yes (8)	Yes (3)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Yes (8)	Yes (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (8)	No (3)

In 2020, the labor inspectorate increased its budget from \$572,984 to \$929,457. (21) However, the Labor Relations Authority (LRA) reported that the amount of funding was not adequate to cover inspections in the outlying islands, which incurs a large travel cost. (3,8) The LRA also reported that new employees did not receive initial training from the government, because labor inspector training is not available locally. Due to the COVID-19 pandemic, the LRA was unable to send officers to receive any training overseas during the reporting period. (3,8) Although the LRA does not have a specific referral mechanism, the Maldives Police Service (MPS) has an established referral mechanism with the Ministry of Gender, Family and Social Services to ensure the protection of child victims in cases of child rights violations. (3)

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. (8,12)

### **Criminal Law Enforcement**

In 2020, 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 MPS that may hinder adequate criminal law enforcement, including a lack of resources for investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (3)
Refresher Courses Provided	Yes (8)	No (3)
Number of Investigations	80 (8)	400 (21)
Number of Violations Found	Unknown (8)	351 (3)
Number of Prosecutions Initiated	Unknown (8)	140 (21)
Number of Convictions	Unknown (8)	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (8)	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (3)

Investigators have insufficient funding and resources, such as office facilities and transportation. (30) 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) MPS reported that although several trainings for investigators touched on the issue of child labor, including on commercial sexual exploitation of children and trafficking in persons, these trainings were not sufficient, because they were not designed to specifically address child labor. (3,8) Although 351 violations were found during the reporting period, the government did not impose any penalties for violations related to the worst forms of child labor. (3)

The LRA established a reciprocal referral mechanism for victims of human trafficking, in which the LRA informs the MPS via an online portal. (11) However, investigations are not disaggregated by type of exploitation related to the worst forms of child labor. There are reports that the MPS and social services providers did not have a clear understanding of the differences between sex trafficking and sexual abuse, especially in cases of children; this made the true number of sex trafficking victims unknown. (9) In 2020, the MPS reported a total of 400 investigations of criminal violations involving the worst forms of child labor, compared to 80 investigations in 2019. (21) Of these, 335 were cases involving commercial sexual exploitation, 120 of which resulted in prosecution. The MPS also reported 65 incidents of children being used in illicit activities, including drug trafficking, of which 20 cases were prosecuted. (21)

#### 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 Anti-Human Trafficking Steering Committee	Manages all anti-human trafficking activities and implements the country's Anti-Human Trafficking National Action Plan. Chaired by Ministry of Defense leadership and consists of 10 participating government agencies. (9,14,31) In 2020, worked to reprioritize the Anti-Human Trafficking National Action Plan in light of the effects of the COVID-19 pandemic. (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 (2020–2022)†	Establishes the government's goals to combat human trafficking, including creating institutions, coordinating activities, raising awareness, and building capacity. (32) During the reporting period, several key initiatives were underway, including revising the Prevention of Human Trafficking Act to align the definition of human trafficking with that of the 2000 United Nations Trafficking In Persons Protocol, setting up a dedicated Trafficking In Persons office, setting up a permanent shelter for victims of trafficking, and holding a public awareness campaign against trafficking in persons in association with multiple stakeholders. (3)

† Policy was approved during the reporting period.

Research found no evidence of a policy designed to address other relevant forms of child labor, such as forced labor in domestic work or trafficking drugs.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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, Family, and Social Services-operated centers that provide psychosocial support for child victims of abuse and exploitation, four of which provide temporary shelter for victims. (3,30)
National Victim Support Hotline (Number 1696)†	Ministry of Economic Development-operated hotline dedicated to receiving reports of human trafficking and child labor. Supported by MPS and Maldives Immigration. (33)
Child Helpline (Number 1412)†	Ministry of Gender, Family, and Social Services-operated helpline established with the support of MPS and UNICEF to receive reports of child abuse cases. (30)

† Program is funded by the Government of Maldives.

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Research was unable to determine what activities were undertaken during the reporting period to implement existing social programs. (8) Family and Child Service centers and shelters lack adequate financial and human resources, and staff are inadequately trained to deal with cases involving abused and exploited children. (30) Existing social programs do not specifically address the commercial sexual exploitation of children, use of children for drug trafficking, or forced labor in domestic work. (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 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 – 2020
	Criminally prohibit all forms of commercial sexual exploitation of children, including procuring, offering, and using children for pornographic performances.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Ensure that labor inspectors receive training that specifically focuses on child labor issues, including training for new employees and refresher courses.	2009 – 2020
	Establish a referral mechanism between labor enforcement authorities and social services.	2016 – 2020
	Ensure that the labor inspectorate receives sufficient resources to enforce child labor laws, including to cover the substantial travel expenses entailed by conducting inspections in the outlying islands.	2017 – 2020
	Ensure that there is sufficient coordination between the labor inspectorate and the Maldives Inland Revenue Authority so that fines authorized by the labor inspectorate are collected.	2019 – 2020
	Provide sufficient funding and training to the police, prosecutors, and other officials, and ensure that investigators have the resources necessary to enforce laws on the worst forms of child labor.	2013 – 2020
	Ensure that criminal law enforcement imposes penalties for violations related to the worst forms of child labor.	2020
	Ensure that criminal investigations are disaggregated by type of exploitation related to the worst forms of child labor.	2020
Government Policies	Ensure that the Maldives Police Service and social services providers receive training on the differences between sex trafficking and sexual abuse, especially in cases involving children.	2020
Government Policies	Adopt a policy to address all relevant forms of child labor and forced labor, including domestic work and trafficking of drugs.	2014 – 2020
Social Programs	Conduct and publish a national child labor survey and research on the worst forms of child labor, including the commercial sexual exploitation and trafficking of children.	2009 – 2020
	Publish information about activities undertaken to implement social programs.	2017 – 2020
	Provide sufficient funding, human resources, and staff training for Family and Child Service centers and shelters that serve abused and exploited children.	2018 – 2020
	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 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Mali made minimal advancement in efforts to eliminate the worst forms of child labor. Mali took steps to prevent children from being recruited and used by the Malian Armed Forces, issuing orders prohibiting the use of children under the age of 15 and banning children from military camps. Mali also enacted a decree permitting the implementation of the mining code, which prohibits child labor in artisanal gold mines. In addition, the government published data on its labor law enforcement efforts, including the number of labor inspections conducted and violations identified. However, despite new initiatives to address child labor, Mali is assessed as having made only minimal advancement because it implemented a practice that delays advancement to eliminate child labor. The government provided support to non-state armed groups that recruited and used child soldiers in Mali. Children in Mali are subjected to the worst forms of child labor, including in hereditary slavery and in armed conflict. Children also engage in dangerous tasks in agriculture, particularly in the production of cotton and rice, and in artisanal gold mining. Although Mali's 2012 Trafficking in Persons Law criminalizes trafficking for the purpose of slavery, it does not more broadly criminalize the act of slavery; Malian law also does not explicitly prohibit using, procuring, or offering children for illicit activities, and allows children under the age of 18 to be penalized as a direct result of forced recruitment by armed groups. In addition, resource constraints severely limited the Malian authorities' ability to fully implement the National Plan to Combat Child Labor, and social and rehabilitation services for victims of the worst forms of child labor remain inadequate.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mali are subjected to the worst forms of child labor, including in hereditary slavery and in armed conflict. (1-7) Children also engage in dangerous tasks in agriculture, particularly in the production of cotton and rice, and in artisanal gold mining. (2,4,7) 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	49.2 (Unavailable)
Attending School (%)	5 to 14	43.3
Combining Work and School (%)	7 to 14	26.0
Primary Completion Rate (%)		49.6

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey (MICS 5), 2015. (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	Cultivating,† harvesting,† ginning,† processing, transporting,† and applying chemical fertilizers,† particularly in the production of cotton and rice (4,7,10,11)
	Raising livestock,† including oxen and small ruminants (7,10)
	Fishing,† including collection, throwing nets, and piloting small boats (10,12)

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

Sector/Industry	Activity
Industry	Artisanal gold mining,† including digging shafts,† extracting ore from underground tunnels,† crushing ore,† and amalgamating ore with mercury† (2,4,7,13-17)
	Rock quarrying (7)
	Assembling fishing canoes† (10)
	Construction (7)
Services	Domestic work† (2,4,7,18,19)
	Street work,† including market vending,† begging,† and in the transportation sector (2,10,19,20)
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 (4,7,21-23)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,24-26)
	Forced recruitment by non-state armed groups for use in armed conflict (4-7,27,28)
	Hereditary slavery (1,4,19,24)
	Forced begging by Koranic teachers, sometimes as a result of human trafficking (2,4,7,13,24)

† 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 (black Tuareg), are subject to hereditary slavery in northern and southwestern Mali. (1,4,12,19,29,30) Some children are born into slavery, while others are born free but remain in dependent status. As a result, these children, along with their parents, are forced to work for their parents' former masters in exchange for food, money, and lodging. (29,30) Child slaves perform agricultural or domestic labor, and are often sexually abused. (29,30) In 2020, the Malian National Commission on Human Rights identified at least 670 displaced child slaves from the southwestern region of Mali. Research indicates that the number of persons displaced as a result of hereditary slavery increased during the reporting period relative to the previous year. (7)

Children, particularly those of Songhai ethnicity, work in debt bondage in the northern salt mines of Taoudenni. (29,31) Thousands of children in the north, south, and west are also involved in artisanal gold mining, in which they are exposed to toxic substances and extreme temperatures, transport heavy loads, and work long hours. (4,7,13,16,17,32) Research indicates that around mining sites, children are also victims of commercial sexual exploitation and domestic servitude. (7) An NGO study from September 2019 to March 2020 identified 483 children at two mining sites. Most of the children were from Mali, but some were from other countries, and most of the latter were victims of commercial sexual exploitation. (7) To address this issue, during the reporting period Mali passed a decree to implement the mining code, which forbids child labor in artisanal gold mines. (7,12)

Some boys placed in the care of Koranic teachers for education are forced by their teachers to beg on the street or work in fields, after which they must surrender the money they have earned to their teachers. (4,7,13,29,31) Research indicated that children forced to beg were not only from Mali, but also from neighboring countries, including Burkina Faso, Senegal, and Côte d'Ivoire. (7) While the government frequently encountered cases of child begging, it did not have the capacity or the appropriate facilities to provide shelter and social services to these children, given the widespread nature of this issue in the country. (7)

During the reporting period, there was an increase in child trafficking, forced child labor, and forced recruitment of children by non-state armed groups in Mali due to insecurity and the COVID-19 pandemic. (7) There was also an increase in the recruitment and use of child soldiers by non-state armed groups in an effort to replace fallen combatants. (12,17,33,34) As in past years, children continued to be forcibly recruited and used by the Platform, the Coordination of Movements for Azawad, Katiba Macina, Dan Na Ambassagou, and Dozos, among others; in 2020, at least 335 Malian, Nigerien, and Burkinabe children were recruited by these groups. The UN reported 284 cases of children being forcibly recruited during 2020, compared to 215 for the previous year. (7,12,17,35) Three of these children remained with armed groups, while the rest were removed and reintegrated with their

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families. (7) In addition, armed groups controlled some artisanal gold mines in northern Mali and used children for forced labor at those locations. (7,12,32)

In 2020, the Malian Armed Forces (FAMa) employed 23 children in courier and domestic service roles. (12,35,36) As of March 2020, however, all children were demobilized. (7,12,32) The government also continued to provide in-kind support to non-state armed groups which forcibly recruited and used children in armed conflict. (2,21,29,37-40)




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, and supplies, which are cost prohibitive for many impoverished families. (2,4,19,31,41-43) Long distances between villages and schools and lack of classes and teachers, are also significant barriers to education. (7) In addition, many children in Mali are not registered at birth, which may prevent them from accessing services such as education. (2,4,31,44) Research indicates that there are hundreds of thousands of children in Mali without birth certificates, and that while lack of documentation does not exclude children from schooling, these students may not be allowed to take national exams. (7) Evidence also suggests that incidences of physical, psychological, and sexual abuse, including corporal punishment, prevent some children from remaining in school. (19,31) In 2020, numerous attacks on schools by armed groups in northern Mali resulted in lootings, destruction of learning materials and infrastructure, and occupancy of school facilities by armed groups. (4,12,45,46) Research indicates that internally displaced children faced interruptions in their education and barriers to enrolling in school after fleeing their homes. (7)

In 2020, insecurity, teacher strikes, and the pandemic significantly affected children's access to education throughout Mali. The pandemic closed all schools from mid-March to the beginning of May; teacher strikes began in January 2020 and lasted until September 2020 when the teachers' unions and the transition government reached a salary agreement. (7) This agreement allowed the government to partially reopen schools and organize exams in October 2020. However, schools were then closed again in December due to the second wave of the pandemic. (7)

**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 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 326 of the Labor Code; Article L.187 of the Law 2017-021 modifying the Labor Code (48,47)
Minimum Age for Hazardous Work	Yes	18	Hazardous Occupations List; Article 1 of the 2017-4388 Amendment to Hazardous Occupations List; Articles 326 and D.189.14 of the Labor Code (48-50)
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 (48-50)
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 (47,51)
Prohibition of Child Trafficking	Yes		Article 244 of the Penal Code; Articles 1 and 7 of the Trafficking in Persons Law; Article 63 of the Child Protection Code (51-53)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 228 of the Penal Code; Articles 1 and 7 of the Trafficking in Persons Law; Article 57 of the Child Protection Code (51-53)
Prohibition of Using Children in Illicit Activities	No		Article 183 of the Penal Code; Articles 18 and 50 of the Child Protection Code (52,53)
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 (52-54)
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 (52-54)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Articles 31.23, 31.31, and 32 of the Penal Code (52)
Compulsory Education Age	Yes	15‡	Articles 26 and 34 of the Law of Education (55)
Free Public Education	Yes		Article 18 of the Constitution (41)

‡ Age calculated based on available information (52)

In November 2020, Mali passed into law a decree permitting the implementation of the mining code, which forbids child labor in artisanal gold mines. The code will prohibit child labor in traditional goldmines, and the use of mercury, cyanide, acids, and explosives, per Article 50 of the new code. (7,12,32) Article 189f of the new code states that mining titles will be canceled if a mining operation uses child labor or any other practices that violate human rights. Article 194 imposes penalties for the use of child labor in quarries, ranging from an imprisonment of 11 days to 2 years and the payment of fines ranging from \$1,700 to \$8,500. (7,32)

The Ministry of Justice, in collaboration with UNODC, revised the 2012 Anti-Trafficking Law to provide aggravated penalties if trafficking is committed against a child under the age of 18, whereas previously, aggravated penalties were only applied if the child was under the age of 15. However, drafts of the migrant smuggling law and anti-trafficking law remained pending. (2,7,12,37,56)

In December 2020, the National Technical Monitoring Committee of the Safe Schools Declaration co-facilitated a workshop with the UN on a draft bill on the protection of education from attacks. The bill specifies the obligations of parties to conflict vis-à-vis the protection of education from attacks, and criminal sanctions for attacks on schools and related offences. (35)

Articles 189.35 and 189.36 of the Labor Code allow 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. (48) The light work framework does not meet international standards because it applies to children under the age of 13. In addition, the law does not specify the conditions under which light work may be undertaken. (47,57,58)

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Although Mali's Trafficking in Persons Law criminalizes human trafficking for the purpose of slavery, it does not more broadly criminalize the act of slavery, and Mali's labor code, while prohibiting forced labor generally, does not specifically prohibit hereditary slavery. 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. (1,2,51,53)

While the Child Protection Code provides protection for children under age 18, and the Penal Code establishes criminal penalties for several of the worst forms of child labor, some offenses included in the Child Protection Code do not carry criminal penalties, such as the prohibition of military recruitment by non-state armed groups. (13,52,53) Although the Child Protection Code prohibits children under age 18 from participating in armed conflicts or joining the armed forces, it only provides for imprisonment of perpetrators in the case of repeat offenses. Meanwhile, the Penal Code only provides criminal penalties if the children are under age 15. (52,53)

Article 28 of the Penal Code 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 a 2013 Inter-Ministerial Circular on the Prevention, Protection, and Rehabilitation of Child Soldiers 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. (52,59) This means that some children under age 18 who are affiliated with non-state armed groups may be penalized as a direct result of being a victim of the worst forms of child labor. (52,59)

**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 enforcement agencies that may hinder adequate enforcement of their child labor laws, including insufficient financial resources allocation.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

<b>Organization/Agency</b>	<b>Role</b>
Ministry of Labor's National Directorate of Labor	Enforces labor laws and investigates Labor Code infractions, including those regarding child labor. (31,60)
National Unit to Fight Against Child Labor (CNLTE)	Coordinates and enforces 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. (2,61,62) One labor inspector in each region is designated as the point of contact for CNLTE to facilitate regional coordination, and CNLTE also has 19 dedicated child labor inspectors and comptrollers. (2,4,7,63)
Ministry of Justice	Enforces criminal laws, including those related to child labor, child trafficking, child commercial sexual exploitation, the recruitment and use of child soldiers, and the use of children in illicit activities. Initiates and coordinates with courts the implementation of laws related to the worst forms of child labor with the support of several other ministries, including the Ministries of Security, Territorial Administration, Child Promotion, Defense, and Labor. (4,7,29,60)
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. (2,4,24)
Ministry for the Promotion of Women, Children, and the Family (MPFEF)	Develops and implements programs to protect vulnerable children and monitors alleged violations of child labor laws, including those related to the worst forms of child labor. (4,42,60)

The National Unit to Fight Against Child Labor (CNLTE) received a budget of \$56,000 (30 million CFA) in 2020, which represents a 40 percent decrease from the 2019 budget due to the need to reallocate funds as a response to the pandemic. (7,12) The CNLTE considers its budget insufficient given the extent and severity of the child labor problem in Mali, as it lacks funding to meet its office needs and it does not have a vehicle or fuel for its staff to carry out its mission. (7)



# Mali

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$85,000 (4)	\$123,555 (7)
Number of Labor Inspectors	113 (4)	113 (7)
Inspectorate Authorized to Assess Penalties	Yes (48)	Yes (48)
Initial Training for New Labor Inspectors	Yes (4)	Yes (7)
Training on New Laws Related to Child Labor	Yes (4)	Yes (7)
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Labor Inspections Conducted	671 (4)	571 (7)
Number Conducted at Worksite	671 (4)	571 (7)
Number of Child Labor Violations Found	Unknown (4)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (7)
Routine Inspections Conducted	Yes (4)	Yes (7)
Routine Inspections Targeted	Yes (4)	Yes (7)
Unannounced Inspections Permitted	Yes (48)	Yes (48)
Unannounced Inspections Conducted	Yes (4)	Yes (7)
Complaint Mechanism Exists	Yes (4)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (7)

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. (63-65) 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. (2,4,63) In addition, reports indicate that a lack of trained staff, equipment, transportation, and funding hampered both CNLTE and the labor inspectorate's ability to conduct child labor inspections and legal proceedings, especially in remote areas of northern Mali. (4,31,57,63,66) CNLTE did not remove any children from the worst forms of child labor. (7) Research indicates that the government rarely collects statistics on the matter, and that there is no central database to maintain any data related to worst forms of child labor. (12) In 2020, CNLTE developed a training module for farmers related to the new hazardous occupations list and held a number of workshops related to the hazardous occupations list. Four new employees of the labor inspectorate received an initial training at Mali's National School of Administration. (7) In 2020, the government budgeted \$371,747 (CFA 200 million) to fight human trafficking, allowing the government to partner with NGOs to undertake activities, including awareness campaigns, training sessions, and workshops. (7) Employees of the CNLTE received one training related to child labor in 2020. (7)

While the budget for the National Directorate of Labor and other labor offices decreased from approximately \$1.2 million (CFA 666,309,000) in 2019 to approximately \$675,275 (CFA 363,973,000) in 2020, the labor inspectorate budget increased from \$85,000 (CFA 50,000,000) to \$123,555 (CFA 66,596,000). (7) In addition, the Brigade for the Protection of Morals and Children (BPMC) reported 10 investigation cases of mistreatment of children employed as house cleaners. Research indicates that the reported number of child labor victims is likely lower than the actual number of victims given the widespread nature of child labor and inadequate enforcement of child labor laws in Mali. (4,7) However, the government did not provide specific data for this report from labor inspections carried out in the field, including the number of child labor law violations, the number of child labor violations found, the number of penalties imposed, or the number of penalties imposed that were collected in 2020. While the CNLTE's annual report usually includes information related to children removed from child labor by NGOs, there is no information on children removed from child labor as a result of labor inspections. (7)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (4)	Yes (7)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (7)
Refresher Courses Provided	Yes (4)	Yes (7)
Number of Investigations	2 (4)	Unknown (7)
Number of Violations Found	46 (4,37)	Unknown (7)
Number of Prosecutions Initiated	2 (4)	Unknown (7)
Number of Convictions	0 (4)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (7)

In 2020, the BPMC benefited from a significant increase in its personnel as 23 new staff members were recruited. (7,12) Research indicates that the number of law enforcement agents is inadequate given the prevalence of the worst forms of child labor in the country. (4) During the reporting period, the government did not provide information on training on new laws related to the worst forms of child labor, nor on imposed penalties for violations related to the worst forms of child labor. (7) While the government made efforts to increase training and resources, research found that Mali lacks 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. (4,29,63,67) 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. (4,12,29,31,63,68) Research showed that the BPMC budget was insufficient, and the force had only one vehicle to conduct inspections and very limited amounts of fuel for each quarter in 2020. Furthermore, there were reports that staff did not receive office materials and had to use personal resources for official documents and furniture. (7,12)

The government's judicial authorities were unable to provide comprehensive and complete statistics on the number of child labor cases investigated, prosecuted, or convicted during the reporting period. In 2020, the BPMC arrested 10 Koranic teachers in Bamako who are alleged perpetrators of forced child begging, with at least 3 Koranic teachers referred to the judicial system for legal action. (7) In addition, one case of suspected child trafficking was prosecuted, but the defendant was acquitted. Malian judicial authorities reported at least three additional prosecutions related to child labor. (7) Many justice sector actors noted government officials' interference in cases involving slavery-related practices in an effort to have the charges dismissed. (37)

In October 2020, the Minister of Defense and the Chief of Defense Staff issued orders to military commanders prohibiting the use of children under age 15 and instructing army personnel to ban the presence of children around military camps. (12,69) By March 2020, the ministry also demobilized 23 children who had been employed as couriers and in domestic service roles with the FAMA. (7,12,32,35) In addition, it designated a child soldier focal point to coordinate with international organizations. (70) Despite these efforts, the Inspector General of the FAMA, General El Hadji Ag Gamou, also leads the Imghad Tuareg and Allies Self-Defense Group (GATIA), a subgroup of the pro-government signatory armed group coalition, Platform, which splintered in 2019. (12,17,71) During the reporting period, the government continued to provide in-kind support to GATIA, overseen by General Gamou, and to other non-state armed groups that recruited and used children in armed conflict. (2,12,21,29,37-40) Research found no indication that the government investigated either the actions of General Gamou and other members of the national armed forces or those of non-state armed groups who allegedly recruited and used child soldiers. (7) In addition, the government continued to keep child soldiers in

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

custody until it established their age, with at least 15 children still held in detention at the close of the reporting period. Although there has reportedly been an improvement in the transfer process, the UN noted difficulty in securing the release of these children, who are sometimes held with adults, until their age can be confirmed to the satisfaction of the Malian authorities. (12,32)

### 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 clarity about the roles of coordinating bodies.

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

Coordinating Body	Role & Description
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. (2,24,72,73) While the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices was active during the reporting period, research could not identify its specific activities. (12)
Inter-Ministerial Committee to Prevent Grave Violations Against Children	Led by MPFEF, 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. (60) While the Inter-Ministerial Committee to Prevent Grave Violations Against Children was active during the reporting period, research could not identify its specific activities. (12)
Artisanal Gold Mining Summit Committee	Monitors recommendations, including the ban on child labor in artisanal gold mines, from a summit on artisanal mining, and comprises gold mining associations and local government officials. (74) Research was unable to determine whether the Artisanal Gold Mining Summit Committee was active during the reporting period.
Directorate for the Promotion of Children and Family (DPCF)	Led by MPFEF, coordinates issues related to child labor, including child trafficking. Implemented the National Policy for the Promotion and Protection of Children. (7) During the reporting period the DPCF supported agencies responsible for birth registrations. (7)

During the reporting period, the MPFEF's Directorate for the Promotion of Children and Family (DPCF) continued to support formal registration of children at birth, particularly in the North, through support for other government departments involved in registration. Research indicates that children born in the midst of security crises are often unable to acquire a birth certificate. (7) Furthermore, the DPCF also worked to reunite children affected by the security crisis in the north with their families. (7) CNLTE held two research missions aimed at identifying child labor. It also held trainings and awareness campaigns on artisanal gold mining in southern Mali. (7,12) CNLTE provided support to agencies and organizations combating child labor, hosted approximately 10 activities with NGOs and relevant associations regarding the prevention of child labor, and held 2 meetings of the National Guiding Committee on Child Labor. (7) The government also held human trafficking awareness trainings for judicial officials in multiple regions. A training on child begging was also held for religious and community leaders (*marabouts*) in the capital. (12,32)

Reports indicate that there is confusion with regard to roles and a lack of coordination between CNLTE and the National Coordinating Committee for the Fight Against Trafficking in Persons and Associated Practices. (28,29,68)

### 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. (10,57) In 2020, CNLTE was not able to conduct any monitoring activities under PANETEM due to budget constraints, which CNLTE attributed to the Government of Mali's decision to allocate increasing financial resources to health, defense, and security. (7)

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

Policy	Description
National Plan of Action to Combat Trafficking in Persons (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. (4,29,75) Calls for the establishment of a formal body to coordinate government efforts to combat human trafficking 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. (28,32) In 2020, Mali developed awareness campaigns in collaboration with UNODC, and trained around 100 law enforcement officers, prosecutors, and judges on human trafficking investigations and prosecutions. (12)
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 to protect and reintegrate those children who become involved. (2,5,38,76) During the reporting period, at least 70 child soldiers were removed from armed groups. (12)
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. (57,60,77) In 2020, the Government of Mali allocated \$625,007 to fund education. (7)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,4,79-82)

The “Child Travel Card” program (*Titre de Voyage pour Enfant*) created by DPCF in 2002 remained a part of the directorate's efforts to combat child trafficking by facilitating proper identification of children traveling within and outside of Mali. Failure to show a child travel card will prompt follow-up actions to confirm whether the child is a victim of trafficking for forced labor, commercial sexual exploitation, or forced migration. (7) Research indicates that this program does not cover foreign citizens. (12)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded 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
Mali Government and NGO-Implemented Programs†	The Education for All Program ( <i>Le Programme d'Education pour Tous</i> ) is funded by the Global Partnership for Education ( <i>Partenariat Mondial pour l'Education</i> ), which receives funding from multiple agencies, including USAID and the Government of Mali, and is implemented by the Ministry of Education. This program was active during the reporting period. (7,12) The Mali Girls Leadership and Empowerment (2018–2021) through Education (Mali GLEE), a \$15 million project implemented by Winrock International, aims to provide educational opportunities to girls by decreasing barriers to education, improving girls' safety in school and their communities, and increasing their knowledge and adoption of positive health behaviors. (7) Education Recovery Support Activity (2015–2020), a \$16 million project implemented in Menaka and Gao, supported Mali's peace accord implementation in the field of education by providing basic quality education services and livelihood opportunities for children and youth in two regions of the North affected by conflict. The project established more than 150 accelerated education program (AEP) classrooms and trained 290 AEP teachers; nearly 11,000 out-of-school children ages 9 to 14 were enrolled. (7) Caritas Mali, an NGO that operates three reception centers in Bamako—including a center for boys—provides assistance to girls who are victims of or at risk of commercial sexual exploitation and girls living on the streets. (7)
ILO-Implemented Projects to Combat Child Labor	ILO-implemented projects to combat child labor and forced labor in supply chains. These projects include the Clear Cotton Project on Child and Forced Labor (2019–2022), an \$8.5 million EU and Food and Agriculture Organization (FAO) of the UN-funded global project to combat child labor and forced labor in cotton and textile supply chains, and ACCEL Africa, a \$26.5 million Government of Netherlands-funded regional project to combat child labor in gold mining and cotton supply chains. (63,83-85) The South-South Project on Decent Work* ( <i>Programme Sud-Sud sur le Travail Décent</i> ) is funded by Brazil (\$400,000) and its implementation by the ILO started in 2020. The program aims to provide labor inspection training and capacity building to labor inspectors and improve working conditions in cotton production areas by promoting decent work principles and providing social protections to producers. (7) Research shows that the ILO provided the National Directorate of Labor with financing (via a COVID-19 pandemic fund) to undertake activities related to pandemic prevention in the work environment, including activities dedicated to preventing child labor. (7)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Program	Description
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. (2,76,86) During the reporting period, 88 children were removed from armed groups. (12)
Global Action Against Trafficking in Persons and the Smuggling of Migrants (GLO.ACT)	\$13 million EU-funded global project implemented by UNODC, UNICEF, and IOM to combat human trafficking and migrant smuggling. (87,88) During the reporting period, GLO.ACT held trainings for magistrates and law enforcement agents. In addition, the Dutch Embassy in Mali funded a research project to study the scope of the issue of human trafficking in the country. (12)
Foreign Government and Company-Implemented Programs	Fighting Child Labor in the Value Chain of the Cotton, Clothing, and Textile Industries ( <i>Lutte contre le Travail des Enfants dans la Chaîne de Valeur Coton, Textile, et Habillement</i> ) is a project funded by the EU and FAO to be implemented by ILO between 2018 and 2022. The project will reinforce the national legal framework for combating child labor and forced labor in the cotton sector. (7) The project will include mapping the supply chain of cotton and clothing, taking into account gender considerations. The project will also include a quantitative survey of child labor and forced labor in the cotton sector, and will involve activities and policies at the local, regional, and national levels. (7) Promoting the Principles and Fundamental Rights in the Cotton Supply Chain Work Environment (2018–2020) was a project funded by Inditex, a Spanish multi-national company working in the cotton sector. The project targeted cotton producers in the cotton-producing region of Sikasso and aimed to promote a favorable work environment for the protection of fundamental worker rights. (7) The project includes awareness campaigns and trainings for relevant partners, local associations, and community leaders to develop a monitoring system to ensure respect for fundamental worker rights in the cotton sector. The program also promotes women's rights and women's leadership in cotton producer organizations and cooperatives. (7) While the foreign government- and company-implemented programs were active during the reporting period, research could not identify activities that occurred. (12)
U.S. Government-Funded Programs	USDOS-funded programs to Combat Descent-Based Slavery: implemented by the American Bar Association (ABA) and the ILO to combat hereditary slavery and forced child labor in Mali. (3,37,89,90) USAID Country Program (2016–2020): \$600 million USAID-funded program that supported the government's efforts to improve education, food security, and health, and to provide humanitarian assistance in crisis areas. (91) During the reporting period the ABA held multiple workshops before ending its program, and the USAID Country Program continued to be implemented. (12)

\* Program was launched during the reporting period.

† Program is funded by the Government of Mali.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,4,92,93)

Mali does not fund or participate in programs to address child labor in domestic work, forced begging, or commercial sexual exploitation. (94)

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. (4,28,63) Despite these efforts, reports indicate that resources and facilities available to social services agencies are inadequate. (4,7,29,31,63)

## 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	Ensure that draft anti-trafficking in persons and migrant smuggling legislation bills are finalized and adopted.	2020
	Ensure that the Labor Code establishes a minimum age no younger than age 13 for light work and specifies the conditions under which light work may be undertaken, in accordance with international standards.	2015 – 2020
	Ensure that the law criminally prohibits hereditary slavery in addition to other forms of forced labor.	2017 – 2020
	Criminally prohibit the use, procurement, or offering of children for illicit activities, including for the production and trafficking of drugs, in accordance with international standards.	2009 – 2020
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups and in any armed conflict.	2013 – 2020



## 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
Legal Framework	Ensure that the specific ages of children protected by the Inter-Ministerial Circular on the Prevention, Protection, and Rehabilitation of Child Soldiers are in compliance with international standards, and ensure that children under age 18 are not penalized as a result of being subjected to forced recruitment into armed conflict.	2009 – 2020
Enforcement	Increase labor inspectorate funding and resources, including equipment and transportation to carry out inspections, especially in remote areas of northern Mali.	2012 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2020
	Ensure that there are sufficient enforcement officials throughout the country and that they receive additional training, transportation, and equipment necessary to adequately enforce laws related to child labor, including its worst forms.	2019 – 2020
	Publish information on enforcement efforts, including the number of children removed from child labor situations as a result of labor inspections, child labor violations found, child labor penalties imposed and collected, training on new laws related to the worst forms of child labor, and the number of penalties imposed for the worst forms of child labor.	2010 – 2020
	Ensure that children are identified and removed from worksites in which they are subjected to the worst forms of child labor.	2020
	Ensure that children are not imprisoned for their association with armed groups, and that they are not kept in detention centers with adults.	2020
	Publish information on criminal law enforcement, including whether training on new laws was provided, and whether penalties for violations of the worst forms of child labor were imposed.	2020
	Implement the provisions of the Inter-Ministerial Circular and the UN-signed Protocol, which require that children in detention for their association with armed groups be transferred to social services or to UN child protection agencies for appropriate reintegration and social protection services.	2013 – 2020
	Ensure that criminal law enforcement efforts related to child labor are properly funded and resourced.	2020
	Ensure that government officials are sanctioned and held accountable for interference in legal cases related to crimes of the worst forms of child labor, including in cases of slavery and the recruitment and use of child soldiers.	2019 – 2020
	Ensure that perpetrators of the worst forms of child labor are prosecuted and convicted in accordance with the law.	2013 – 2020
	Ensure that the government does not support non-state armed groups, which recruit children into their ranks.	2020
	Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.
Clarify roles for coordinating mechanisms combating child labor, and improve coordination among relevant agencies.		2010 – 2020
Government Policies	Ensure that the National Plan to Combat Child Labor is implemented, including by allocating sufficient financial and human resources.	2012 – 2020
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
Social Programs	Ensure that the Malian Armed Forces do not recruit any children.	2020
	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, expanding school infrastructure, increasing teacher availability, providing free school supplies, and taking measures to ensure the safety of children and teachers in schools.	2010 – 2020
	Increase birth registration rates to ensure that children have access to social services, including education.	2010 – 2020
	Ensure that the military and non-state armed groups do not occupy schools.	2018 – 2020
	Institute new programs to address child labor in all relevant sectors, including domestic work, forced begging, and commercial sexual exploitation.	2009 – 2020
	Ensure that government social services have sufficient resources and facilities to provide the necessary care for victims of the worst forms of child labor, including for children used in armed conflict.	2016 – 2020

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Mauritania made minimal advancement in efforts to eliminate the worst forms of child labor. The government passed a new NGO law (No. 2021-004) that eased requirements for registering non-governmental organizations, potentially helping advance human rights and anti-slavery organizations to be officially recognized.

The government also adopted a new Human Trafficking Law (No. 2020/17), and amended the Law on Migrant Smuggling (No. 2010-021) that will support efforts to combat trafficking and addressing smuggling of migrants. However, despite new initiatives to address child labor, Mauritania is assessed as having made only minimal advancement because it continued to implement a policy and a practice that delays advancement to eliminate child labor. Although there were indications of progress, criminal law enforcement authorities did not make

adequate efforts to combat slavery and its vestiges during the reporting period. The government prosecuted four defendants and convicted three traffickers in slavery-related cases in the Nouadhibou Anti-Slavery Court, but the government did not initiate any new investigations in 2020. 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 are subjected to 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 enforce some laws related to the worst forms of child labor, including laws on hereditary slavery. In addition, a lack of financial resources and mitigation measures intended to limit the spread of COVID-19 severely limited the government's 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. Moreover, the government did not publish comprehensive information about its labor law enforcement efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritania are subjected to the worst forms of child labor, including in indentured and hereditary slavery. (1-4) Children also engage in dangerous tasks in agriculture, particularly in herding cattle and goats. (1,5-7) 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 (%)		72.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 2015 (MICS), 2015. (9)



# 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 (1,5,7,10-13)
	Harvesting fish and shrimp, including accompanying fishermen on boats and selling fish (1,5,7,11,12,14,15)
Industry	Crushing gravel (11,16)
	Construction (7)
Services	Domestic work (1,5-7,17)
	Working as car mechanics, painters, and carpenters (1,5-7,13,14)
	Garbage scavenging (1,6,13)
	Street work, including vending, shoe shining, begging, <sup>†</sup> and in the transportation sector (1,5-7,11,13)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Forced begging, sometimes as a result of criminal gang recruitment and coercion by Koranic teachers (1,5,7,12,17-19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6)
	Use in illicit activities, including selling drugs (4,6,13,20)
	Indentured and hereditary slavery (1-3,7,10,18,20-23)
	Forced labor in domestic work, sometimes as a result of human trafficking (5,7,13,20)

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

<sup>‡</sup> 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. (3-6,22,24) Child slaves herd animals, such as cattle and goats, and perform domestic labor. (3,4,7,15,16,25)

In Mauritania, it is a traditional practice to send children to Koranic teachers (*marabouts*) to receive an education. However, some Koranic teachers force their students (*talibés*) to beg on the streets for long hours and to surrender the money they have earned. (4,7,12,17,20)

Mauritania requires proof of marriage and a copy of the national identity cards of the parents or caregivers to obtain a birth certificate. This may have prevented children born out of wedlock and many Haratine and Sub-Saharan ethnic minority children, including from families of slave descent, from being registered at birth. (13,26,27) Although all families are required to register children for birth certificates, research found that the civil registration process, including obtaining birth certificates, is confusing and time consuming. Moreover, applicants have faced additional hardship due to the closure of registration centers outside the capital and a lack of training for registration center staff. (26-29) In early 2021, Mauritania canceled the requirement for students to possess a national identity card in order to take part in the national examinations to obtain the Certificate of Primary Education Studies (CEP). However, national identity cards are still required in order to take exams for middle and high school certificates. (15) Because both birth certificates and the CEP are required to enroll in secondary school in Mauritania, many children as young as age 12 cannot access secondary education, making them more vulnerable to the worst forms of child labor. (6,7,10,13,18,24,27,30)

To address some of these challenges, the Ministry of Social Affairs, Childhood, and the Family (MASEF) and the National Child Protection Council have established representation in all regions in Mauritania, and work to identify cases of citizens, including children, who are unable to register and provide them with the support needed to complete the registration process. (31) The government also appointed a special committee, headed by a presidential adviser, to review cases of unregistered applicants and facilitate documentation processes for marginalized and vulnerable communities. As part of the committee's efforts to facilitate documentation processes, its members have conducted site visits to civil registration centers during which they have provided support to individuals who have encountered difficulty in the civil registration process. (31,32) During the reporting period, the government continued to collaborate with UNHCR to issue birth certificates to Malian refugee children. (7,12,17,33,34)




## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In Mauritania, the lack of school infrastructure and limited availability of teachers, especially in rural areas, also impede access to education, which may increase children’s vulnerability to the worst forms of child labor. (5,13,35) In addition, children from families of slave descent, especially from the Haratine ethnic minority, face barriers to accessing education due to ethnic discrimination. (10,22,36) Furthermore, refugee children may have difficulty accessing education or finding available classrooms, which makes them particularly vulnerable to the worst forms of child labor, including being recruited by non-state armed groups. (4,7,12,37-39)

## 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 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	16	Article 76 of the General Child Protection Code (29)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the General Child Protection Code; Article 247 of the Labor Code (29,40)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 76 and 77 of the General Child Protection Code (29)
Prohibition of Forced Labor	Yes		Articles 1 and 3–4 of Law 025/2003; Article 1 of Law 2013-011; Law 052/2015 (41-43)
Prohibition of Child Trafficking	Yes		Articles 1 and 3 of Law 025/2003; Article 54 of the Penal Protection Code for Children (41,44)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 72 and 76 of the General Child Protection Code; Article 1 of Law 025/2003; Articles 24–26 of the Penal Protection Code for Children (29,41,44)
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 (45)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 7 of Law 62132/1962 (46)
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 (44)
Compulsory Education Age	No	14	Article 1 of Law 2001-054 (47)
Free Public Education	Yes		Article 1 of Law 2001-054 (47)

\* No conscription

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

In 2020, the Mauritanian parliament adopted a new Human Trafficking Law (No. 2020/17) to align national legislation with the Palermo Protocol; the law will create a new national authority to address human trafficking, and the government set up a Human Rights Inter-Ministerial Committee. (15,19) The Parliament also amended the Migrants Trafficking Law (No. 2010-021). (7,48,97) The new law aims to strengthen protections for victims and prosecution of perpetrators, including by exempting victims from legal prosecution for acts they were coerced into or forced to commit, and increasing penalties for government officials who are found guilty of engaging in human trafficking. (15,19,48) In addition, under Article 7 of the Human Trafficking Law (No. 2020/17), convicted individuals may be sentenced to 10 years of prison and a fine of \$6,757 to \$13,514 (250,000 to 500,000 MRU), with an added 10 years if it is a slavery-related offense. (15,19)

According to Article 23 of the 2015 Anti-Slavery Law (Law 2015-0520), the only entities other than the Commissariat on Human Rights, Humanitarian Action, and Civil Society Relations 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. (32,43,49-52) However, during the reporting period, the government passed a new NGO Law (No. 2021-004) to ease NGO registration requirements and move oversight of NGOs operating in Mauritania from the Ministry of the Interior to the Commissariat for Human Rights, Humanitarian Action, and Civil Society Relations. (53,54) This law will also allow several previously excluded NGOs, including those working on issues such as slavery and racial justice, to begin officially operating. (7,55)

Although the 2018 General Child Protection 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 that may expose children to hazardous substances or temperatures, it does not specify the types of work that are hazardous, including domestic work, a sector in which there is evidence of children carrying heavy loads and working long hours. (5,29,56) However, in 2020, the Ministry of Labor conducted a workshop with the participation of civil society organizations to revise the list of hazardous work prohibited for children. Even though it was expected that the list be finalized in 2020, discussions were postponed to March 2021 due to the COVID-19 pandemic. (7,15)

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. (40) However, the Labor Code does not specify the activities in which light work may be permitted. (57) In addition, 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. (29,47)

### 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 enforcement agencies 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 investigates labor code infractions, including violations related to the minimum wage and hazardous work. (58,59)
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 the capital, Nouakchott. (6,36,60) During the reporting period, continued to employ 30 officers. (7,12)
Ministry of Justice's Directorate of the Judiciary for the Protection of Children	Assists with the enforcement of child protection issues and oversees tribunals responsible for sentencing offenders of laws related to children. (16)
Anti-Slavery Courts	Prosecute crimes related to slavery and provide free legal assistance to victims, including children. Located in Nema, Nouakchott, and Nouadhibou. (4,61-63)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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

Organization/Agency	Role
National Commission for Human Rights (CNDH)	Serves as an independent ombudsman body that advocates for the eradication of slavery, receives human rights complaints, and conducts investigations on human rights violations, including the worst forms of child labor. (6,20,36)

**Labor Law Enforcement**

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$33,300 (12)	\$33,300 (7,64)
Number of Labor Inspectors	Unknown (12)	72 (64)
Inspectorate Authorized to Assess Penalties	No (12)	Yes (40)
Initial Training for New Labor Inspectors	Yes (12)	Yes (64)
Training on New Laws Related to Child Labor	Yes (12,32)	N/A (7)
Refresher Courses Provided	Yes (12)	No (7)
Number of Labor Inspections Conducted	Unknown (12)	Unknown (7)
Number Conducted at Worksite	Unknown (12)	Unknown (7)
Number of Child Labor Violations Found	Unknown (12)	Unknown (7)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	Unknown (7)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	Unknown (7)
Routine Inspections Conducted	No (12)	No (7)
Routine Inspections Targeted	N/A (12)	N/A (7)
Unannounced Inspections Permitted	Yes (12,40)	Yes (40)
Unannounced Inspections Conducted	No (32)	Yes (7,64)
Complaint Mechanism Exists	Yes (12)	Yes (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (7)

Due to pandemic mitigation measures imposed in 2020, refresher courses on labor law enforcement, including child labor laws, were not provided. (7,15) In addition, research found 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. (5,7,12,50,58,60,65) During the reporting period, 67 new labor inspectors were enrolled at the National School of Administration, Journalism and the Judiciary, and upon graduation will join the existing ranks of inspectors. Training for new inspectors consists of education on the national labor code, including child labor laws, and on all labor-related conventions the country has ratified. (64) The government did not provide information on its labor law enforcement efforts, including the number and types of inspections, the number of violations found, and the number of penalties imposed and collected for inclusion in this report. (7)

Labor inspectors prepare reports when they find a labor violation and may include a recommendation for a penalty; they then are required to file the reports with the Ministry of Justice. The Ministry of Justice, in turn, assesses the penalty for the violation. (7,15) However, the penalties established for violating child labor laws are insufficient and do not generally deter violations. (7,51)

**Criminal Law Enforcement**

In 2020, 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.

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## 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	2019	2020
Initial Training for New Criminal Investigators	Yes (12)	No (7)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (12)	N/A (7)
Refresher Courses Provided	Yes (12)	No (7)
Number of Investigations	3 (12)	N/A (7)
Number of Violations Found	3 (12)	N/A (7)
Number of Prosecutions Initiated	8 (12,20,66)	0 (7)
Number of Convictions	5 (12)	0 (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (12)	N/A (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (7)

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. (4) Research indicates that some police, prosecutors, and judges do not investigate cases of slavery in response to complaints, and that the government has prosecuted cases for lesser offenses to avoid bringing a slavery case to trial. In some cases, this may be due to corruption, lack of political will to prosecute suspected slaveholders, or due to misunderstanding of the 2015 Anti-Slavery Law. (4,12,67,68) There are also reports that investigative judges who receive anti-slavery cases unlawfully dismiss cases by civil society organizations representing victims of slavery, and that they may try to pressure victims to drop their cases or accept mediation in lieu of prosecution. (7,14,50,56,65) In addition, there are reports that some cases of slavery are resolved through social mediation rather than through the criminal justice system. (12,20) Due to the pandemic, all court activity, including anti-slavery and human trafficking cases, was suspended in March 2020. The courts briefly reopened between October and November of 2020, and as of January 2021, the courts have fully reopened. (19) During the reporting period, there were three convictions in slavery-related cases, though the government did not initiate any new slavery prosecutions. Research was unable to determine whether any of the cases that resulted in convictions involved children. (7,15) 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. (3,10,12,13,21,61,63,69,70) Slavery victims also encounter obstacles when filing complaints, including pressure from judges to drop their complaints. The government's failure to adequately investigate these cases may be due to the insufficient allocation of resources for prosecutions or to a lack of training for judicial officials. (14,50,56,65) However, the government took steps to increase the resources available to judicial officials to handle slavery cases, including by doubling the 2021 budget for the Anti-Slavery Courts. (15)

Historically, the government interfered in the work of and arrested anti-slavery activists. However, research was unable to find information that this practice occurred in 2020 following the passage of the new NGO law. (7,66,71) The government did not provide information on the number of violations found or investigations carried out related to the worst forms of child labor for inclusion in this report. (7) Furthermore, research found there is little to no coordination among enforcement agencies. (14,72)

During the reporting period, the Ministry of Justice, in collaboration with UNHCR and the ILO, produced a first draft of an assessment of the criminal justice system and the complaints mechanism under the anti-slavery law, Law 2015-031. (7,15)

## 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 enlisting all relevant agencies to address all forms of child labor.



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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

Coordinating Body	Role & Description
National Child Protection Council	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, includes government and civil society stakeholders that address children's rights. (28,56,73-76) The Ministry of Labor did not participate in the activities of the National Child Protection Council. (15,32) The council continued to meet on a bimonthly basis. (64)
General Delegation for National Solidarity and the Fight Against Exclusion ( <i>Taazour</i> )	Coordinates and implements government programs to provide education, economic opportunity, and health services to vulnerable populations, including communities of slave descent. (12,77-79) The program provided over 200,000 families with direct cash assistance during the reporting period. (15,64)
Commissariat on Human Rights, Humanitarian Action, and Civil Society Relations	Coordinates the development and implementation of government policies related to human rights, including those related to the worst forms of child labor. (4,58,80,81) Carries out awareness-raising campaigns to combat slavery and human trafficking and acts as a civil party to victims of slavery in filing cases. Acts as a semi-autonomous body under the supervision of the Office of the Prime Minister, which is also a member of the Human Rights Inter-Ministerial Committee. (4,15,58,80,81) As part of the new government's restructuring, the mandate of the National Agency to Combat the Vestiges of Slavery, Integration, and Fight Against Poverty's ( <i>Tadamoun</i> ) to act as a civil party on behalf of victims of slavery was transferred to the Commissariat on Human Rights, Humanitarian Action, and Civil Society Relations. (12,32,49) The Commissariat held several workshops on the new trafficking in persons (TIP) law. (64) In 2020, the commissariat oversaw the approval of the new National Action Plan on Trafficking in Persons (PANTP 2020–2022). (19,82)
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 the Commissioner for Human Rights, Humanitarian Action and Civil Society Relations and includes representatives from <i>Taazour</i> , the CNDH, and other ministries. (58,83) The committee continued to hold meetings during the reporting period. (64)
Ministry of Social Affairs, Childhood, and the Family (MASEF) Office of Childhood	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. Manages the Centers for the Protection and Social Integration of Children. (6,58) In 2020, the Ministry of Justice, in coordination with MASEF, set up a rehabilitation center for victims of slavery to reinstate their full civil rights and liberties. (7) A new separate child protection and integration center was inaugurated in Nouadhibou in November 2020, mainly aimed at providing care to migrants. (15) The ministry continued to run several children shelters during the reporting period. (64)
Human Rights Inter-Ministerial Committee*	Led by the Prime Minister with bimonthly meetings planned. Tasked with implementing the National Action Plan to combat TIP (PANTP), carrying out the U.S. Department of State's TIP Report recommendations, and monitoring the human rights situation in the country. (15,19) The Prime Minister chaired the first meeting in December, and key ministries included the Ministry of Justice, the Ministry of Interior and Decentralization, the Ministry of Foreign Affairs, the Ministry of Labor, and the Commission on Human Rights, Humanitarian Action, and Relations with Civil Society. (7,19)

\* 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 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)	Overseen by the Ministry of Labor, aimed 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. (1,5,13,58) Will be replaced by a new plan, PANETE-RIM 2 (2016–2030), which was being developed in 2020 and will be aligned with Mauritania's commitment to the Alliance 8.7 efforts and to drafting a general code of child protection, defining Convention 182 provisions. (64)
National Action Plan to Combat Trafficking in Persons (PANTP) (2020–2022)†	Adopted in March 2020, aims to address forced child labor, forced child begging, forced prostitution, slavery, and other forms of child exploitation. Overseen by the Commissariat for Human Rights, Humanitarian Action, and Civil Society Relations with a budget of \$145,946 (5.4 million MRU) for implementation. (19,82) Due to the pandemic, suspended many planned activities during the reporting period. (19) Increased budgets for anti-slavery courts, and passed NGO law under this policy. (64)

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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

Policy	Description
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. (84,85) 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. (84) Continued to be pursued during the reporting period. (64)
National Child Protection Strategy (2020–2025)†	Aims to protect children against violence, exploitation, abuse, and neglect. Specifically includes children exploited at work and victims of human trafficking, children living on the streets, and children who are victims of violence or sexual exploitation. (7,86) Begun developing a database to identify children at risk of engaging in hazardous work during the reporting period, in collaboration with UNICEF and the ILO. (15)

† Policy was approved during the reporting period.

Research found that efforts to implement most of the key policies related to child labor continue to be delayed due to insufficient allocation of resources. (14,56,87,88)

Mauritania continues to be a Pathfinder country under Alliance 8.7, an international partnership with 22 member countries, and facilitated by the ILO Secretariat. This involves a commitment toward achieving Sustainable Development Goal Target 8.7, which calls for the eradication of forced labor, modern slavery, human trafficking, and child labor by 2025. (89)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 efforts to address the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Program to Eradicate the Effects of Slavery†	Government program that supports the reintegration and rehabilitation of former slaves. (4,90) Organized several information caravans to raise awareness of the new TIP law and slavery-related practices during the reporting period. (64)
Cash Transfer <i>Tekavoul</i> (2015–2025)†	A \$45 million <i>Taazour</i> program, supported by the World Bank, the Adaptive Social Protection Program for the Sahel, and co-financed by the German and Mauritanian governments. Provides cash assistance to families with school-age children, conditioned on children's school attendance. (64,78,79) About 35,000 households in extreme poverty benefit from the program. Was extended for an additional 5 years and allocated an additional \$72 million in 2020 to reinforce efforts in the social protection system. (64) Contributes to the G5 Sahel's Emergency Development Program (PDU), as part of new phase. (64)
Centers for the Protection and Social Integration of Children†	MASEF-operated program that provides short-term food, shelter, education, and vocational training to vulnerable children, many of whom are <i>talibés</i> . Operates in Aleg, Kaédi, Kiffa, Nouadhibou, Rosso, and Nouakchott. (5,6) With financial support from an NGO, managed seven centers around the country in 2020, offering short-term protection and social integration services to vulnerable children, including potential TIP victims. During the reporting period, supported 120 children, compared with 350 from the previous year, and referred victims to NGOs for long-term care. (15,64)
Model <i>Mahadras</i> Program†	Ministry of Islamic Affairs-funded program that provides monthly cash transfers of approximately \$27 to parents whose children are enrolled in model <i>mahadras</i> . Also operates adult literacy classes for 8,000 religious leaders ( <i>imams</i> ) across Mauritania to raise awareness of children's rights, including information on child labor and child trafficking. (20) Continued to operate in 2020 in collaboration with the Ministry of Labor and the ILO in identifying hazardous forms of labor. (64)
UNICEF Country Program (2018–2022)	A \$13.8 million UNICEF-funded program that supports government efforts to improve education, birth registration rates, social inclusion, and protection for children, including refugees. (7,91) In 2020, provided food assistance to vulnerable families, with at least 24,305 cases of severe acute malnutrition admitted for treatment. (15,64) Supported the Ministry of Health in implementing a national Child Health Day campaign which integrated screening children for acute malnutrition during the reporting period. (64)
Decent Work for Migrant Youth in the Fishing Sector (2017–2021)	A \$17 million ILO- and Government of Germany-funded, 4-year project to promote decent work among youth working in the artisanal fishing sector in Mauritania. Plans to reach at least 9,000 recipients and to conduct an analysis of child labor in the fishing sector. (7) Hosted a workshop focusing on social dialogue and protection of artisanal fisheries during the reporting period. (64)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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

Program	Description
USDOL-Funded Projects	USDOL-funded global projects implemented by the ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Include <a href="#">From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)</a> , and the <a href="#">Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2019–2021)</a> , a \$250,000 program. (12,92-94) In 2020, a steering committee was convened by the Ministry of Labor in collaboration with the ILO and UNICEF to organize a high-level virtual roundtable on the pandemic and child labor focusing on future perspectives in times of crisis. The roundtable discussion highlighted the vulnerability of children in the time of COVID-19 and their increased risk of becoming victims of forced labor. (7) At the end of the roundtable, the tripartite stakeholders recommended the formalization of the steering committee of the National Plan of Action for the Elimination of Child Labor (PANETE-RIM) and launched an evaluation of PANETE-RIM with all concerned stakeholders. (7,12,65,95) Additional information is available on the USDOL <a href="#">website</a> .

† Program is funded by the Government of Mauritania.

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. (12,14,58,96) Moreover, some government officials do not acknowledge that slavery continues to exist. (2,3,20,24,58,67,69) 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. (2,24)

**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	Accede to the UN CRC Optional Protocol on Armed Conflict.	2019 – 2020
	Identify hazardous occupations and activities prohibited for children, including in sectors in which child labor is known to occur.	2009 – 2020
	Ensure that the law's light work provisions specify the conditions in which such work may be undertaken.	2015 – 2020
	Raise the compulsory education age to align with the minimum age for work.	2018 – 2020
	Ensure that the new NGO law allows for newly registered civil society organizations to have the ability to immediately file criminal court cases on behalf of former slaves.	2020
Enforcement	Increase 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 – 2020
	Strengthen the labor inspection system by authorizing the labor inspectorate to initiate routine and targeted inspections, rather than performing inspections based solely on complaints received.	2014 – 2020
	Ensure that penalties are high enough to deter the violation of child labor laws.	2015 – 2020
	Ensure that routine inspections are conducted.	2020
	Ensure that there is close coordination and collaboration between all enforcement agencies in the Mauritanian Government.	2020
	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 – 2020
	Ensure that judicial sector officials have the proper training and awareness of slavery issues, and that they do not improperly dismiss or fail to refer appropriate cases to the Anti-Slavery Courts.	2020
	Ensure that information on criminal law enforcement efforts and data are collected and published each year.	2020
	Publish information on labor law enforcement efforts, including the number and types of inspections conducted, the number of child labor law violations found, and the number of penalties assessed and collected.	2019 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED POLICY AND PRACTICE THAT DELAYED ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the Ministry of Labor participates in the National Child Protection Council.	2018 – 2020
Government Policies	Ensure that key policies related to child labor receive sufficient resources, including funds, for effective implementation.	2016 – 2020
Social Programs	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 – 2020
	Implement a continuous awareness-raising program for government officials on the laws related to slavery and the worst forms of child labor.	2012 – 2020
	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 – 2020
	Increase funding for social programs that provide services to former slaves.	2015 – 2020
	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 – 2020
	Increase funding dedicated to school infrastructure and teacher availability, especially in rural areas, to eliminate barriers and make education accessible for all children, including those from families of slave descent and refugees.	2011 – 2020

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In 2020, Mauritius made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the National Assembly passed the long-awaited Children's Bill, which includes more robust provisions related to child prostitution and child pornography violations. Also passed was the Children's Court Bill, which sets out to ensure a child-friendly environment during court proceedings and establishes a Criminal Division with jurisdiction over sexual offences against children. In addition, the National Assembly voted to approve the Child Sex Offender Register Bill, which establishes the Child Sex Offender Register that will assist in monitoring, tracking, and investigating sexual offences against children. However, children in Mauritius are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities. Children also engage in child labor in construction and street work. In addition, existing prohibitions related to forced labor do not meet international standards because forced labor is criminally prohibited only when it results from human trafficking. There are also many barriers to education access, especially for children with disabilities. In addition, gaps in the implementation of key policies and social programs related to child labor, including the worst forms of child labor.

Agalega Islands, Cargados Carajos Shoals, and Rodrigues are not shown.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mauritius are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in illicit activities. (1-3) Children also engage in child labor in construction and street work. (1,3,4) 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 (%)		98.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Data were unavailable from International Labor Organization's analysis, 2021. (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, activities unknown (1,3)
	Fishing, including diving, and casting nets and traps (1,3)
Industry	Construction (3,7)
Services	Domestic work (1,7)
	Working in shops and restaurants (1,3)
	Street work, including vending, begging, carrying goods in public markets, and in the transportation sector(1,3,8,9)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3)
	Use in illicit activities, including selling drugs (1,3)

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

# Mauritius

## MODERATE ADVANCEMENT




Research indicates there is an increase in child labor activities during the holiday season (November and December) and during breaks in the school year. (1) Some children in Mauritius are subjected to commercial sexual exploitation by their peers or family members, or through fraudulent offers of other employment. (1,10) Mauritius has never conducted a national child labor survey; accordingly, information on the prevalence of child labor in the country is limited. (11,12) Child labor is known to occur primarily in the informal sector, in which monitoring and enforcement are more challenging. (1)

Research indicates there were more cases of working children during the reporting period due to the COVID-19 pandemic lockdown from mid-March 2020 until June 2020. Some children stopped attending school during the lockdown because they were unable to participate in distance education programs, in all likelihood for want of Internet access; as a result, they took small manual jobs. (3) In addition, children with disabilities face significant barriers to education due to discrimination and a lack of special services and resources. (13,14)

## 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'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	16	Article 2 and 8 of the Workers' Rights Act (15)
Minimum Age for Hazardous Work	Yes	18	Article 2 and 9 of the Workers' 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	No		Article 6 of the Constitution; Article 2 of the Combating Trafficking in Persons Act (17,18)
Prohibition of Child Trafficking	Yes		Article 13A of the Child Protection Act; Articles 2, 11, 14, and 21 of the Combating Trafficking in Persons 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 (4,18-20)
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		Article 63 of the Criminal Code (20)
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

Workers' Rights Act specifies that a child under the age of 16 may not be employed to work in any occupation, but allows for children to do light jobs in family businesses that are not harmful to their health, development, or education, however, the law does not limit the number of hours for light work. (15)

In December 2020, the National Assembly passed three bills aimed at reinforcing the legal framework on the protection of children. (3) The long-awaited Children's Bill will replace the Child Protection Act with a more comprehensive and modern legislative framework. The Children's Bill aims to address the limitations of the Child Protection Act by aligning with international standards on children's rights and includes more robust provisions addressing the offences of child prostitution and child pornography than the current Child Protection Act. (23) The second bill is the Children's Court Bill, which aims to establish a dedicated court that provides a child-friendly environment in the best interest of the child during court proceedings, and establishes a Criminal Division with jurisdiction over sexual offenses against children. (24) The Child Sex Offender Register Bill, which seeks to reduce the risk of sexual offenses against children by establishing a Child Sex Offender Register (CSO Register) that will assist in monitoring, tracking, and investigating sexual offenses against children. (25) These bills had not yet entered into force by the end of the reporting period. (3)

Existing prohibitions related to forced labor do not meet international standards because forced labor is criminally prohibited only when it results from human trafficking.

### 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 enforcement agencies 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, Human Resource Development and Training (MOLHRDT)	Enforces all labor laws, including those related to child labor. (13,26,27)
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. (28,29)
Police Brigade for the Protection of Minors (Minors' Brigade)	Investigates crimes related to the worst forms of child labor, including child trafficking, use of children in illicit activities, and commercial sexual exploitation. (3,30) Maintains a database of all human trafficking incidents involving children and refers all cases of commercial sexual exploitation to the Child Development Unit. (31)
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. (32,33)

The Office of the Ombudsperson for Children held several activities relating to children's welfare during the reporting period, including a 2-day networking forum on child protection in August. Other activities included

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media outreach to raise awareness of children's rights in April and May, and a meeting with NGOs on children living in poverty in July. (3) The Mauritius Police conducted 1,233 outreach sessions for primary and secondary schools and youth centers, reaching 80,989 people. These sessions were held with a view to informing the public about the dangers and consequences of the worst forms of child labor, child prostitution, commercial sexual exploitation of children, and trafficking in persons. (3,34) In addition, the Minors' Brigade participated in seven media programs dealing with the commercial sexual exploitation of children. (3) During the reporting period, bilateral meetings were carried out with the Supreme Court, the Police Department, and the High Powered and Working Together Committee. (3)

The Child Protection Act, Section 11, requires medical and paramedical professionals and school staff to report any cases of child labor or abuse. (19)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Mauritius took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor, Human Resource Development and Training (MOLHRDT) that may hinder adequate labor law enforcement, including authority to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,469,555† (1)	\$1,685,568‡ (3)
Number of Labor Inspectors	129 (1)	114 (3)
Inspectorate Authorized to Assess Penalties	No (15)	No (15)
Initial Training for New Labor Inspectors	Yes (1)	Yes (3)
Training on New Laws Related to Child Labor	Yes (1)	Yes (3)
Refresher Courses Provided	Yes (1)	Yes (3)
Number of Labor Inspections Conducted	10,601 (27)	1,406 (34)
Number Conducted at Worksite	4,660 (1)	1,406 (34)
Number of Child Labor Violations Found	4 (1)	0(3)
Number of Child Labor Violations for Which Penalties Were Imposed	1 (1)	1 (3)
Number of Child Labor Penalties Imposed that Were Collected	1 (1)	1(3)
Routine Inspections Conducted	Yes (1)	Yes (3)
Routine Inspections Targeted	Unknown (1)	Yes (3)
Unannounced Inspections Permitted	Yes (15)	Yes (15)
Unannounced Inspections Conducted	Yes (1)	Yes (3)
Complaint Mechanism Exists	Yes (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (3)

† Data are from July 2019 to June 2020.

‡ Data are from July 2020 to December 2020.

MOLHRDT held 27 training sessions for new recruits and 26 sessions for other officers during the reporting period. The ministry's Labor and Industrial Relations Division also received training on child labor regulations enumerated in the Workers' Rights Act. (3) This division is responsible for enforcing child labor law compliance and manages complaints, including those related to child labor, at 17 regional labor offices. (3) However, zero calls were reported to the hotline service related to child labor during the reporting period. Research indicated that the one child labor violation imposed and collected during the reporting period was from a 2019 case. (3)

Research found approximately 30 cases of working children, between the ages of 13 and 15, who were involved in jobs on construction sites, as street vendors, and in restaurants, shops, agricultural fields, and the transportation sector. (3) During the reporting period, MOLHRDT also reported it had conducted 1,406 inspections; however, it did not indicate if any were child-labor specific. In addition, due to the pandemic, significantly fewer inspections were conducted during the reporting period. (3,34) Although the government conducted labor inspections during the reporting period, it is unknown whether the government adequately



verified whether children were found to be involved in child labor or hazardous work. (3) While the Workers' Rights Act permits unannounced inspections, MOLHRDT has previously reported that labor inspections are not carried out on private properties with small farms unless the farm is registered as a business; otherwise, labor inspectors are required to receive permission from the owner to conduct an inspection. (7,34)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Mauritius took actions to combat child labor (Table 7). However, gaps exist within the authority of the 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	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (1)	N/A (3)
Refresher Courses Provided	Yes (1)	Yes (3)
Number of Investigations	Unknown (1)	3 (3)
Number of Violations Found	Unknown (1)	3 (3)
Number of Prosecutions Initiated	Unknown (1)	0 (3)
Number of Convictions	Unknown (1)	1 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Yes (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (3)

The Ministry of Gender Equality and Family Welfare reported 10 cases (6 males and 4 females) of alleged child labor during the reporting period. Three of the cases involved commercial sexual exploitation, four cases were related to begging, and three cases were related to street vending and working in shops. (3)

During the reporting period, new employees of the Mauritius Police received initial training, which covered the worst forms of child labor. The Mauritius Police reported three new investigations into child labor and three violations; however, there were no child labor prosecutions. (3) There was one conviction in 2020 for the sexual abuse or exploitation of a child. The accused was charged in 2014 under Section 14 of the Child Protection Act, which carries a maximum sentence of 10 years in prison. (3) The Court initially sentenced the accused to 18 months' imprisonment, but later reduced the sentence to 240 hours of community service. (3,34) While the Court has taken action against the accused, the penalties imposed were not commensurate with the crime. (3,34)

Reporting indicates that criminal law enforcement agencies continue to lack staff, transportation, and other resources to properly enforce criminal laws related to the worst forms of child labor. (1,3)

## **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 lack of a coordinating body primarily focused on child labor.

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

Coordinating Body	Role & Description
Child Development Unit	Enforces legislation related to children, implements policies and social programs related to child development, and provides social services to victims of the worst forms of child labor, including human trafficking. Also provides trainings and awareness campaigns against human trafficking, including the commercial sexual exploitation of children, and operates the 113 hotline for any offences involving children. (2,11,35) Managed by the Ministry of Gender Equality and Family Welfare (MOGE), the budget for child protection, welfare, and development was \$3 million for fiscal year 2020–2021, which mainly funded the Child Development Unit. (3)
High Powered and Working Together Committee	Chaired by MOGE, coordinates and implements activities on children's rights, including efforts to combat the worst forms of child labor. (1,3,35) Met in January 2020 to coordinate the various government agencies working on child protection. (3)

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

Coordinating Body	Role & Description
Inter-Ministerial Committee on Human Trafficking	Comprises representatives from the Attorney General's Office, MOLHRDT, MOGE, and other ministries; however, it is not yet clear who will chair this committee. Coordinates anti-trafficking efforts in Mauritius. (3,36,37) Did not meet during the reporting period. (38)
National Steering Committee on Trafficking in Persons	Chaired by the Prime Minister's Office, drives daily operations on anti-trafficking efforts. Operates as a working-level technical committee under the auspices of the high-level Inter-Ministerial Committee. (3,10) Met twice during the reporting period. (38)
Community Child Watch Committee	Conducts surveillance of children exposed to any form of violence, including commercial sexual exploitation and human trafficking, at the community levels. Operates with the collaboration of volunteers, social workers, NGOs, and other key stakeholders. (39) Held 282 meetings between January and October. (3)

Once the Children's Act goes into effect, the Child Services Coordinating Panel will be established and will be responsible for the coordination of all activities relating to the implementation of this new law, the United National Convention on the Rights of the Child, and the African Charter on the Rights and Welfare of the Child. (3,23)

The government's efforts to combat the worst forms of child labor were hindered by a lack of coordination, inter-agency communication, and information sharing between key coordinating mechanisms. In addition, there is no coordinating body whose primary focus is child labor. (1,3)

## 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 covering all the worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Education and Human Resources Strategy Plan (2008–2020)	Aimed to provide equal access to primary, secondary, and technical and vocational education. Provided social services for youth. Overseen by the Ministry of Education. (40) Replaced by the Nine Year Continuous Basic Education Policy in January 2017. (38)
Nine Year Continuous Basic Education Policy (2017–2030)	Aims to enable all students to successfully complete 9 years of basic schooling and forms part of a package of reforms designed to strategically transform the education system in Mauritius. Also referred to as Nine Year Schooling. (38,41)
National Sport and Physical Activity Policy (2018–2028)	Provides a structured sports program available to all ages. Focuses on children and young adults, offering after-school recreational activities to help reduce children's vulnerability to child labor and illicit activities. (7,42,43)

Although the Government of Mauritius has adopted the Nine-Year Continuous Basic Education Policy and the National Sport and Physical Activity Policy, research found no evidence of these policies aiming to combat the worst forms of child labor, such as commercial sexual exploitation. In addition, the National Action Plan to Combat Human Trafficking, drafted in 2016, has yet to be adopted by the government. (1,36,38,44,45) Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Mauritius during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 of programs to address the full scope of the problem.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
National Children's Council†	Overseen by MOGE, offers a wide range of services and facilities, including day care, shelters, creativity centers, children's clubs, and school child protection clubs around the island. (1,46) Research was unable to determine whether the National Children's Council held any activities during the reporting period.
Eradication of Absolute Poverty Program†	Increases access to quality primary education for vulnerable children administered by the Ministry of Social Integration, Social Security and National Solidarity. 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-aged children throughout the country. (47,48) Research was unable to determine whether this program was active during the reporting period.
Awareness-Raising Programs on Commercial Sexual Exploitation and Human Trafficking†	Educates the public on preventing commercial sexual exploitation of children and human trafficking, created by MOGE. (1) Between January 2020 and September 2020, MOGE held 23 outreach sessions, mainly geared to adolescents, teenage mothers, parents, caregivers, and shelter officers, on various topics reaching 1,275 people. An additional 24 sessions were held on subjects related to child abuse. (3)
Atelier Partage Parents Program	Aims to educate parents, covers good parenting practices, and focuses on violence and child abuse issues. (1,35,46) One session was held during the reporting period. (3)

† Program is funded by the Government of Mauritius.

Although the government has established the National Children's Council 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. (2,32,42,49,50)

## 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 – 2020
	Ensure that the law's light work provisions limit the number of hours for light work.	2019 – 2020
	Ensure that all forms of forced labor are criminally prohibited.	2019 – 2020
Enforcement	Strengthen the labor inspectorate by authorizing inspectors to assess penalties.	2015 – 2020
	Ensure that labor inspections are conducted in all sectors in which children work, and assess penalties for child labor violations.	2020
	Allow labor inspectors to conduct unannounced inspections on private properties and throughout the informal sector.	2018 – 2020
	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 – 2020
	Ensure that penalties for the worst forms of child labor, including sexual abuse or exploitation of a child, are commensurate with those for other serious crimes.	2020
Coordination	Ensure that all coordinating bodies are active and are able to carry out their intended mandates.	2018 – 2020
	Ensure that coordination mechanisms to combat the worst forms of child labor share information and policy-making decisions, improve coordination, and prevent overlap.	2012 – 2020
	Ensure a coordinating body exists that comprehensively addresses child labor.	2019 – 2020
Government Policies	Adopt a policy that addresses the worst forms of child labor, including commercial sexual exploitation.	2014 – 2020
	Adopt a comprehensive National Action Plan to combat human trafficking.	2017 – 2020
	Annually publish activities undertaken to implement key policies designed to address child labor.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor in Mauritius to inform policies and programs.	2013 – 2020
	Ensure that all children, including those with disabilities, have equal access to education.	2014 – 2020

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that child victims of commercial sexual exploitation have access to comprehensive and quality social services and standards of care.	2010 – 2020
	Publish activities undertaken to implement the Eradication of Absolute Poverty Program during the reporting period.	2019 – 2020
	Conduct research to further identify children's activities in farming to inform policies and programs.	2020
	Publish activities undertaken by the National Children's Council during the reporting period.	2020

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*In 2020, Mexico made significant advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government published the 2019 National Child Labor Survey, the results of which will be used to develop policies and programs to combat child labor. In addition, it ratified International Labor Organization Convention 189 on Domestic Workers, and revised the Migration Law and Refugee Assistance and Asylum Law to prioritize the rights of migrant and refugee children, including prohibiting the detention of children in migrant centers and ensuring migrant and refugee children have educational access. Moreover, state governments investigated and prosecuted at least 199 child trafficking cases. The government also approved the creation of a national network of Local Committees to Prevent and Eradicate Child Labor and Protect Adolescent Workers of the Permitted Age to improve coordination efforts to address the worst forms of child labor at the municipal and local levels. Further, it published the National Program on Human Rights 2020–2024 and the Secretariat of Labor and Social Welfare's National Program for 2020–2024. However, children in Mexico are subjected to 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 production and trafficking of drugs. Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. The COVID-19 pandemic severely impacted the Mexican economy, resulting in a significant increase in the number of children engaging in child labor. Although nearly 60 percent of all employment in Mexico occurs in the informal sector, federal and some state-level labor inspectors carry out inspections in the informal sector only after receiving formal complaints. In addition, labor and criminal law enforcement agencies lacked human and financial resources which may hinder the adequate enforcement of labor and criminal laws, and the government did not publish complete information on its labor and criminal law enforcement efforts. Social programs to combat child labor do not address all relevant sectors in which child labor is found in Mexico.*



## **I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR**

Children in Mexico are subjected to 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 production and trafficking of drugs. (1-5) Children also perform dangerous tasks in agriculture, including in the production of chile peppers, coffee, sugarcane, and tomatoes. (6-10) Data from the National Child Labor Survey (ENTI 2019), which was funded by USDOL, show that 3.1 million children between the ages of 5 and 17 engage in child labor, including hazardous household chores. It also shows that 52 percent of child laborers engage in hazardous work and 25 percent of child laborers do not attend school. (9,11) In addition, the ENTI 2019 shows that child labor primarily occurs in the central and southern states of Oaxaca, Puebla, Chiapas, and Michoacán, and 61 percent of child laborers are boys. (9,11) The Government of Mexico plans to use the ENTI 2019 results to develop policies and action plans to combat child labor. (9,12) Table I provides key indicators on children's work and education in Mexico.

# Mexico

## SIGNIFICANT ADVANCEMENT

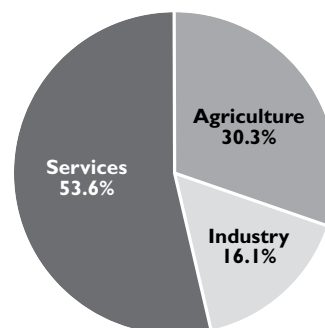
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	4.0 ( 866,293)
Attending School (%)	5 to 14	97.5
Combining Work and School (%)	7 to 14	4.4
Primary Completion Rate (%)		102.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (13)

Source for all other data: International Labor Organization’s analysis of statistics from Instituto Nacional de Estadística y Geografía (INEGI), Encuesta Nacional de Trabajo Infantil (ENTI), 2019.(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	Working in agriculture,† including in the production of avocados, chile peppers, coffee, cucumbers, eggplants, beans (green), melons, onions, sugarcane, tobacco,† and tomatoes (6-10,15-18) Cattle raising (19)
Industry	Manufacturing† footwear, furniture, garments, leather goods, and textiles (7,9,19-21) Producing baked goods (9,19,22) Construction,† activities unknown (7,9,19) Mining,† including amber (9,19,23-25) Working in woodworking and welding shops (7,9,19)
Services	Street work† as vendors, shoe shiners, beggars, car washers, and porters (6,22,26-29) Working in auto repair, beauty salons, restaurants, bars,† and coffee shops (7,9,28) Scavenging in landfills (6,30) Domestic work (9,11,19,31,32)
Categorical Worst Forms of Child Labor‡	Forced labor in domestic work, street vending, and begging, each sometimes as a result of human trafficking (4,23,29,32-36) Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (1,3,4,7,23,37) Use by cartels to perform illicit activities, including the production of poppies for heroin, drug trafficking, and carrying out armed attacks, sometimes as a result of human trafficking (2,4,5,23,38-41)

† 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 2020, the COVID-19 pandemic severely impacted the Mexican economy, resulting in a significant increase in the number of children engaging in child labor. Experts estimate that as a result of the pandemic, the number of people living in poverty in Mexico will increase by 7.9 percent and the number of children engaging in child labor will increase by 5.5 percent. (5,24,42) Despite a government program to transmit public education classes via Internet, television, and radio during the pandemic, reports suggest that at least 2.5 million children did not continue their basic education. This includes 800,000 students who did not transition from lower secondary to upper secondary school. (43,44) In addition, students reported difficulty accessing classes as at least half of Mexican households do not have computers or Internet access, while 80 percent of indigenous or rural households lacked computers or Internet access. (44-46) The lack of access to education and school abandonment leaves children more vulnerable to the worst forms of child labor. (5,47,48)

Organized criminal groups recruit and exploit children in illicit activities, including serving as lookouts, carrying out armed attacks against authorities and rival cartels, and in the production, transport, and sale of drugs. Most of the time these children abandon school, are unable to access future employment in the formal sector, or go on to commit graver crimes. (4,5,41,49) Children in Mexico are also trafficked internally for commercial

sexual exploitation and illicit activities, including by organized criminal groups. The state of Tlaxcala is known as the predominant source and transit center for child commercial sexual exploitation in Mexico, but it also occurs in tourist areas such as Acapulco, Puerto Vallarta, and Cancun, and in northern border cities such as Tijuana and Ciudad Juárez. (1,3,23,50) The states of Chiapas, Guerrero, Puebla, and Veracruz are also source and transit centers for human trafficking for the purposes of sexual and labor exploitation. (23) Reports by Mexico's National Commission on Human Rights (CNDH) and the UN Office on Drugs and Crime found that 25 percent of female trafficking victims in Mexico are under 18 years of age while 45 percent of child trafficking victims are boys and girls of indigenous descent. (1,4,36,51,52) In addition, Mexican authorities reported that they registered an increase of 73 percent in online child pornography distribution during the pandemic. (37)

Child labor in agriculture is more prevalent among boys. Although children engage in agricultural activities throughout the country, the majority of child labor in this sector occurs in the central and southern states of Oaxaca, Puebla, Chiapas, and Nayarit. (9,11) Children's work in agriculture often includes long working hours, use of sharp tools, handling pesticides, and carrying heavy loads. (10,53,54) A 2018 report by the *Centro de Derechos Humanos de la Montaña Tlachinollan* found that 42 percent of migrant agricultural worker households had at least one child engaged in child labor, while in 2020, the government estimated that there are approximately 714,000 Mexican children who are internal migrant agricultural workers. (15,55,56) In addition, some children ages 15 to 17 living in agricultural export-producing communities are vulnerable to involvement in organized crime as they may not be able to find legal work. (18,57-59)

Children from indigenous populations are more likely to work across all sectors, including in agriculture, than non-indigenous children. (15,55,60) According to CNDH, indigenous populations are especially vulnerable to child labor and human trafficking due to low educational levels, linguistic barriers, and discrimination. (36,50,61-63) Indigenous children are also less likely to attend school due to the lack of schools near their homes, and the lack of educational materials and instruction in native languages. (60,64-66)

Migrants, mostly from the Northern Triangle countries of El Salvador, Guatemala, and Honduras, who are fleeing violence, instability, and lack of opportunity in their countries of origin travel through Mexico en route to the United States. In 2020, Mexican authorities reported identifying and processing at least 87,000 migrants of whom approximately 20 percent were children, including at least 4,100 unaccompanied minors. (67-75) Migrant children, especially those travelling by themselves, are more vulnerable to human trafficking, forced recruitment by organized criminal groups, and other worst forms of child labor. (4,70,71) In addition, many migrant children do not have access to education. (68,69,71)

The National Institute of Migration (INM) is responsible for enforcing the rights of migrant children in coordination with the National System for Integral Family Development (SNDIF), and the Mexican Commission for Refugee Assistance (COMAR) is tasked with refugee assistance. However, due to government austerity measures and an increase in the number of migrants, including unaccompanied children, INM, SNDIF, and COMAR may have insufficient funding to carry out their mandates. (23,72,73,76,77) In addition, although the government revised laws in November 2020 to address the best interests of migrant and refugee children including placement in child protection centers while waiting to be repatriated, some children remained in INM detention centers without access to education during the reporting period. (68,70,73,78-80) Moreover, the lack of implementation and poor coordination by INM and SNDIF left some unaccompanied children and migrant families with children in vulnerable conditions and without access to shelter. In addition, many SNDIF shelters, in which these families and children are being housed, have reached or are nearing capacity. (49,77,81) To address these challenges, some state governments in states with large migrant communities have coordinated with civil society to provide shelter and education to migrant families. (70,71,82,83)







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### II. LEGAL FRAMEWORK FOR CHILD LABOR

Mexico 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	✓

On July 3, 2020, Mexico ratified ILO Domestic Workers Convention, 2011 (No. 189). (84,85)

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 123 of the Constitution; Article 22 <i>bis</i> of the Labor Code; Article 47 of the Law on the Rights of Children and Adolescents; Article 6 of the General Law on Education (18,86-88)
Minimum Age for Hazardous Work	Yes	18	Article 175 of the Labor Code (18)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 175–176 of the Labor Code (18)
Prohibition of Forced Labor	Yes		Articles 1 and 5 of the Constitution; Articles 11, 12, and 22 of the Trafficking in Persons Law; Article 47 of the Law on the Rights of Children and Adolescents (86,87,89)
Prohibition of Child Trafficking	Yes		Article 10 of the Trafficking in Persons Law; Article 47 of the Law on the Rights of Children and Adolescents (87,89)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 202–205 of the Federal Penal Code; Articles 13 and 18 of the Trafficking in Persons Law; Article 47 of the Law on the Rights of Children and Adolescents (87,89,90)
Prohibition of Using Children in Illicit Activities	Yes		Articles 196 and 201 of the Federal Penal Code; Article 24 of the Trafficking in Persons Law; Articles 2, 4, and 5 of the Law on Organized Crime (89-91)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 5 of the Military Service Law (92)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Military Service Law (92)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 123 and 201 of the Federal Penal Code; Articles 16 and 47 of the Law on the Rights of Children and Adolescents (87,90)
Compulsory Education Age	Yes	18	Articles 6 and 129 of the General Law on Education (88)
Free Public Education	Yes		Article 3 of the Constitution (86)

The United States-Mexico-Canada Agreement (USMCA) entered into force on July 1, 2020. The agreement contains a labor chapter with fully enforceable labor obligations, including on internationally recognized labor rights. (93-96) Under this chapter, Mexico commits to adopt and maintain in its statutes, regulations, and practices the effective abolition of child labor and a prohibition on the worst forms of child labor. This chapter

also requires each country to prohibit the importation of goods into its territory from other countries produced in whole or in part by forced or compulsory labor, including forced or compulsory child labor. (49,93,96)

In November 2020, the government revised the Migration Law and the Refugee Assistance and Asylum Law to harmonize the provisions regarding migrant and refugee children's rights with the Law on the Rights of Children and Adolescents. These revisions include prohibiting the detention of migrant and refugee children, whether unaccompanied or not, in INM detention centers, and ensuring access to education for migrant and refugee children. (79,80,87,97,98)

As the minimum age for work at 15 years is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (18,88)

### 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 enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Secretariat of Labor and Social Welfare (STPS)	Leads efforts to enforce child labor laws, conduct labor inspections, and refer cases for investigation. The Federal Prosecutor for the Defense of Work, an independent entity under STPS, prosecutes cases in which workers' rights are violated, including cases with workers under age 18. (18,99-104) The STPS inspectorate is responsible for labor law enforcement in 22 industrial sectors under federal jurisdiction, including the sugar and tobacco industries, three types of enterprises, and labor matters affecting two or more states. The state-level labor inspectorates are responsible for labor law enforcement in all other situations. (18,86,105) During the reporting period, STPS collaborated with USDOL on two projects to strengthen its capacity to enforce labor laws and train Mexican workers and unions on labor standards and identifying labor violations. (106-110)
Attorney General of the Republic (FGR)	Prosecutes crimes involving human trafficking, including criminal violations related to child trafficking and other worst forms of child labor. The Attorney General of the Republic's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA) and the Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO) are responsible for investigating and prosecuting human trafficking cases at the federal level. (4,104,111-114) In addition, all 32 states have specialized Trafficking in Persons (TIP) prosecutors or units, which are responsible for investigating and prosecuting cases of human trafficking at the state level. Some state TIP units or prosecutors also prosecute cases of gender-based violence. (50,59,115,116) In addition, federal and state TIP units receive some cases of child trafficking from the National Institute of Migration and the Mexican Commission for Refugee Assistance. (76,78,117-120)
National Commission on Human Rights (CNDH)	Independent ombudsman body. Receives complaints and conducts investigations on human rights violations, including cases involving the worst forms of child labor. (121)
Conciliation and Arbitration Boards and Labor Tribunals and Conciliation Centers	Tripartite boards which mediate and adjudicate labor disputes according to federal and state labor laws, including processing cases in which children between the ages of 15 and 18 request permission to work. Beginning in 2020, these boards are being replaced by federal- and state-level Conciliation Centers and Labor Tribunals, which will oversee conciliation and adjudication of labor disputes, respectively. (18,41,86,122-125) In 2020, STPS and state governments also began establishing systems and institutions to address 2019 labor reform obligations to strengthen freedom of association and collective bargaining rights. This included dedicating \$69 million to establish Conciliation Centers and independent Labor Tribunals in eight states, begin file digitization, and carry out trainings on labor reform implementation. (108,126-131)
Secretariat of Health's National System for Integral Family Development (SNDIF)	Provides social assistance to child victims, including shelter and legal services. Employs representatives at the national, state, and municipal levels. (87,104,132) At the federal and state levels, also employs special prosecutors to carry out legal action against crimes related to children and adolescent rights, including violations related to the worst forms of child labor. (87,104,132) During school holidays, some state-level SNDIF ministries conduct operations to monitor for child labor in the informal sector. (133-145)

Since 2019, the Government of Mexico has implemented austerity measures that have left many secretariats and agencies at both the federal and state levels without the appropriate personnel, expertise, and leadership to carry out core government functions, including establishing and implementing policies and programs related to the worst forms of child labor and enforcing related laws. (146-151)



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Federal and state labor inspectorates carry out labor inspections in formally registered businesses. (99,100,106,152) Although these inspectorates have the authority to conduct unannounced inspections in the informal sector, including inspections related to child labor, in practice, inspections are only conducted in response to a formal complaint. As the informal sector accounts for 57 percent of employment in Mexico, the lack of inspections in this sector leaves children vulnerable to labor exploitation. (7,99,101,106,152-154)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Mexico took actions to combat child labor (Table 6). However, gaps exist within the operations of the Secretariat of Labor and Social Welfare (STPS) that may hinder adequate labor law enforcement, including human and financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,449,826 (155)	\$1,420,784 (156)
Number of Labor Inspectors	421 (104)	447 (41)
Inspectorate Authorized to Assess Penalties	Yes (106)	Yes (41,152)
Initial Training for New Labor Inspectors	N/A	Yes (156)
Training on New Laws Related to Child Labor	Unknown	N/A (156)
Refresher Courses Provided	Unknown (157)	No (41)
Number of Labor Inspections Conducted	35,981 † (104)	29,177 ‡ (41)
Number Conducted at Worksite	35,981 † (104)	29,177 ‡ (41)
Number of Child Labor Violations Found	3 (158)	1 (158)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (104)	Unknown (156)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (104)	Unknown (156)
Routine Inspections Conducted	Yes (159)	Yes (41)
Routine Inspections Targeted	Yes (160)	Yes (41)
Unannounced Inspections Permitted	Yes (104,159,160)	Yes (41,152)
Unannounced Inspections Conducted	Unknown (159,160)	Yes (41)
Complaint Mechanism Exists	Yes (160)	Yes (41)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (160)	Yes (156)

† Data are for federal inspectorate only. (104)

‡ Data are for federal inspectorate only. (41)

During the reporting period, STPS hired and trained 26 additional federal labor inspectors. (127,156) However, the number of labor inspectors is likely insufficient for the size of Mexico's workforce, which includes approximately 54 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Mexico should employ roughly 3,634 labor inspectors. (104,127,161,162)

The STPS initiates routine and targeted inspections based on analysis of compliance data and patterns of complaints. Unannounced inspections for child labor violations are only conducted in response to complaints and must be coordinated with representatives from SNDIF and the local Office of the Attorney General (FGR). (100,104,106,108) The STPS did not report carrying out inspections for child labor in 2020, and the total number of complaints received or complaint-based inspections carried out is not known, as the STPS does not have an internal system to track cases of child labor violations. (105,107,152,160) However, the STPS carried out labor inspections at establishments to identify illegal subcontracting practices and inspections related to health and safety measures at the federal level; the latter were a priority given the pandemic. (156,163)

Research could not verify that all state-level labor ministries conducted child labor inspections, sanctioned establishments in violation of the Labor Code, or applied the guidelines on identifying and sanctioning child

labor violations as outlined in the "Labor Inspection Protocol to Eradicate Child Labor and Protect Adolescent Workers". (41,100,104,133-137) However, during the reporting period, some state-level inspectorates reported carrying out inspections for child labor, including the state of Guanajuato, which detected 90 children engaged in child labor, and the state of Chihuahua, which identified 24 children of indigenous descent working in agricultural establishments. Other states had also planned to carry out child labor inspections in targeted sectors, including in agricultural and informal work; however, the results of these inspections are unknown. (164-171) In addition, although children between the ages of 15 and 17 are required to obtain work permits, only the state of Aguascalientes reported issuing work permits to children in this age group, granting 326 permits in 2020. Information on the issuance of work permits for other states was not provided for inclusion in this report. (164)

The STPS and state-level labor ministries share enforcement authority of child labor laws, and are authorized to establish agreements for coordination of inspection duties. However, due to limited information sharing between federal and state-level inspectorates, some establishments may not be inspected for labor law violations. (99,152,160) Moreover, concerns remain with Mexico's lack of enforcement of laws governing the minimum age for employment in rural areas or at small and medium enterprises, particularly in the agricultural sector. (49,172,173)

Even though federal labor inspectors have the authority to assess penalties for most labor infractions, child labor and forced labor infractions are considered criminal offenses. In such cases, inspectors are required to file a citation with the STPS's Directorate of Judicial Affairs to initiate sanctioning procedures with the state-level finance ministries or the FGR, who are then responsible for collecting fines or initiating criminal sanctions. (99,106,156,160)

In 2020, STPS implemented the new voluntary reporting system, "*CumpliLab*," to build a database of formally registered businesses that self-identify as being in compliance with the Labor Code, including provisions related to child labor. (160,174,175) Registered businesses deemed to be in compliance will be exempt from labor inspections for one year. (106,160,175,176) During the reporting period, STPS carried out virtual webinars on the implementation of the labor reform and on how to use "*CumpliLab*" for relevant stakeholders. (177,178)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Mexico 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	2019	2020
Training for Investigators	Yes (153)	Yes (49)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	No (41)
Refresher Courses Provided	Yes (153)	Yes (49)
Number of Investigations	31 (49,153)	601 (49)
Number of Violations Found	Unknown (153)	Unknown
Number of Prosecutions Initiated	31 (153)	Unknown (49)
Number of Convictions	4 (153)	43 (49)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (153)	Yes (49)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (153,179)	Yes (49)

In 2020, state-level prosecutors reported investigating and prosecuting at least 199 cases involving child trafficking victims. (180) In addition, the National Trafficking in Persons Hotline, managed by the Citizens' Council for Safety and Justice of Mexico City, received 2,117 reports of human trafficking and referred cases to the Attorney General of the Republic's Specialized Unit for Crimes against Women and Trafficking in Persons (FEVIMTRA), the Specialized Unit on Trafficking in Minors, People, and Organs (UEITMPO), and state-level

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trafficking in persons prosecutors during the reporting period. Cases reported by the Hotline accounted for 8 percent of all open investigations during the reporting period. (49,59,179,181) However, the total number of children referred and assisted as a result of reporting by the Hotline is unknown. (49,179,181) FEVIMTRA and UEIMTPO also collaborated with the Governments of Argentina, Peru, Spain, and the United States to investigate or extradite perpetrators of human trafficking. Moreover, collaboration with law enforcement personnel from the United States resulted in the apprehension of a suspected trafficker and the dismantling of a sex trafficking ring operating between the two countries. (49)

In 2020, there were 18 specialized shelters for human trafficking victims. Of these, the government operated six shelters and provided NGOs with \$565,000 to operate three other trafficking shelters. (49,182-184)

Reports indicate that the lack of training for criminal law enforcement officers on how to perform prosecutorial and police investigative functions, and confusion over territorial jurisdictions, has hampered their ability to adequately investigate and prosecute cases involving the worst forms of child labor. (4,49,153,185,186) In addition, the insufficient capacity of prosecutors and judges to try criminal cases related to human trafficking meant that many suspected traffickers were incorrectly prosecuted for minor offenses or were acquitted. (4,49,185,186) Moreover, FEVIMTRA had limited financial resources available for investigations, training, and outreach. (49,50,183,184)

Although the government provided some information on the number of investigations, prosecutions initiated, and convictions made related to the worst forms of child labor at the federal level and for some states, the total number of investigations, and convictions for the federal level and for all states is not known due to weak coordination and inconsistent data sharing among government ministries. In addition, the data provided for 2020 are not disaggregated by the number of child victims. (4,23,49) Research identified that inconsistent data collection and the lack of coordination amongst government ministries may hinder criminal prosecutions and impact government efforts to provide victim services. (49,59,153,185,186)

## 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
Inter-Institutional Commission for Prevention and Eradication of Child Labor and the Protection of Adolescent Workers of the Permitted Age in Mexico (CITI)	Coordinates Mexico's activities to develop policies, approve programs, and coordinate, monitor, and evaluate efforts to combat child labor, especially its worst forms. Chaired by STPS and includes representatives from the secretariats of the Interior, Economy, Foreign Affairs, Wellbeing, Agriculture, Transportation, Education, Health, Tourism, Social Security, SNDIF, and FGR. (156) Meets on a quarterly basis and includes NGO networks, international technical and financial partners, such as UNODC and IOM, and bilateral partners, including the United States. (156,160) Met regularly during the reporting period and approved the creation of a national network of Local Committees to Prevent and Eradicate Child Labor and Protect Adolescent Workers of the Permitted Age* to improve coordination efforts to address the worst forms of child labor at the municipal and local levels. In addition, implemented a temporary working group to develop policies to prevent child labor during the pandemic. (156)
Inter-Institutional Commission for the Prevention, Sanction and Eradication of Crimes Related to Trafficking in Persons and for the Protection and Support of Victims of those Crimes	Defines policy and coordinates efforts to address human trafficking in Mexico. Chaired by the Secretariat of the Interior and includes representatives from STPS, secretariats of numerous other government ministries, NGOs, and international technical and bilateral partners. (89,187) In 2020, added two NGOs as members and continued to draft the National Action Plan to Combat Trafficking in Persons. (49,188)
National System for the Protection of Children and Adolescents (SIPINNA)	Coordinates national child protection policy and programs. Chaired by the Secretariat of the Interior and made up of a steering committee from multiple other ministries and representatives of civil society groups. (88) During the reporting period, met regularly and approved the National Program for the Protection of Children and Adolescents 2021–2024. (156)

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

Coordinating Body	Role & Description
State Committees for the Prevention and Eradication of Child Labor and for the Protection of Young Persons (CITI Estatales)	Implements and evaluates activities related to the elimination of child labor through the 32 state and Federal District committees. These committees also compile, analyze, and report their activities to the federal CITI. (101) Although some state committees, including the Mexico State, Hidalgo, Puebla, and Queretaro committees, met on a regular basis during the reporting period, research could not determine whether all state committees met regularly during the year. (41,189,190)
Commission for the Protection of Refugee and Migrant Children and Adolescents	Coordinates, develops, monitors, and evaluates strategies and programs to protect the rights of migrant and refugee children. Chaired by SIPINNA. (156,191,192) During the reporting period, the Commission held state-level roundtables to ensure implementation of the Critical Roadmap for the Protection of Migrant and Refugee Children and to strengthen collaboration between state authorities and relevant stakeholders to protect migrant and refugee children's rights. (156)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Both government officials and civil society sources have stated that Mexico's federal budget allocates only 1 cent per child or \$196,000 to the federal CITI to implement programs and activities to prevent and combat child labor. Sources have reported this amount is insufficient to address the extent of the problem. (59,193-196)

## 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 and coverage of all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Program for the Secretariat of Labor and Social Welfare (2020–2024)†	Aims to strengthen the fundamental rights of work and to increase labor force participation in the formal sector. The plan prioritizes combating child labor as part of STPS' social inclusion strategy. (197)
National Human Rights Program (2020–2024)†	Aims to increase the national well-being of the general population and to ensure equality and equity. Includes actions to ensure children's rights and combat child labor. (156,198)
National Strategy for Inclusive Education (2019–2024)	Supports inclusive education for vulnerable children, including migrant and indigenous children. (199,200) During the reporting period, supported the implementation of the <i>Aprende en Casa</i> program to provide educational services for 25 million students, from pre-school through upper secondary school, including a radio component to reach indigenous children, during the pandemic. (43)
Integral Development Plan for El Salvador, Guatemala, Honduras y México	Aims to support strategic economic development in Mexico and the Northern Triangle countries to address the root causes of migration and increase employment in the region. In 2020, supported the implementation of the <i>Jovenes Construyendo el Futuro</i> program in Honduras and El Salvador, and continued to fund and operate the <i>Centros Integradores para el Migrante</i> shelters in the states of Baja California and one in Chihuahua. These shelters operate as "integration centers," assisting foreign migrants in obtaining employment and providing social services, including educational access, for migrants and their children. (201-207)

† Policy was approved during the reporting period.

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (208)

Mexico became a Pathfinder country under Alliance 8.7 in 2019. This involves accelerating commitments toward achieving Sustainable Development Goal Target 8.7, which calls for the eradication of forced labor, modern slavery, and human trafficking by 2030, and the eradication of child labor by 2025. (209,210) As a Pathfinder country, the government developed and implemented the Alliance 8.7 Roadmap to Eradicate Child Labor, Forced Labor, and Trafficking in Persons, which includes the goals of improving information generation on child and forced labor, strengthening coordination between the CITI and the Inter-Institutional Commission for the Prevention and Punishment of Human Trafficking Crimes, and establishing preventative actions to combat child and forced labor in supply chains. In 2020, the government also developed and published a diagnostic document on gaps and priority actions to eradicate child labor and reported on initiatives to combat child labor and forced labor. (209,211)

Even though the government drafted the Plan of Action on Child Labor 2019–2024 and the National Action Plan on Trafficking in Persons 2020–2024 in 2019, these plans have not been officially approved. In addition, the National Program for the Protection of Children and Adolescents 2020–2024 is still awaiting approval and

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publication by the Government of Mexico. (104,156,157,212) Although the government has adopted the National Program for the Secretariat of Labor and Social Welfare 2020–2024 and the National Program on Human Rights 2020–2024 to combat child labor, research found no evidence of an existing policy on other worst forms of child labor. (156,197,198)

## 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 efforts to address the problem in all sectors and in all states.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Secretariat of Public Education Programs for Indigenous and Migrant Children*	Nationwide Secretariat of Public Education- funded programs to support public education for children in indigenous and migrant communities. These programs include the Indigenous People's Education Diversity Program, a \$3.5 million program created to support the diverse education of indigenous people using a multi-language and multi-cultural approach, and the Educational Program for Migrant School Population, a \$3.5 million program created to support centers of migrant education and improve migrant teaching practices using multi-language and multi-cultural techniques. (41)
Benito Juárez Wellbeing National Scholarship Program†	Secretariat of Public Education cash transfer program that offers two types of scholarships for families living in poverty and students at risk of school desertion. The Wellbeing Basic Education Family Scholarship provides bi-monthly payments of \$80 per household for all children under age 15 enrolled in school, while the Benito Juárez Scholarship provides bi-monthly payments of \$80 to each child enrolled in high school. (213-215) Although the program reaches a high number of students, it has been criticized for providing insufficient cash transfers, lacking monitoring and evaluation, and having implementation issues. (216-221) In 2020, the program assisted scholarship participants age 15 years and older to establish personal bank accounts to facilitate the scholarship cash transfer. The program also carried out surveys at 50,000 schools in marginalized and rural areas to increase outreach and enroll more students of indigenous descent. (222,223)
Support for Indigenous Education Program‡	Implemented by the National Institute of Indigenous Peoples to support educational access of children from indigenous and Afro-descendant communities through scholarships, boarding houses, and nutritional support. (224) In 2020, the program assisted 73,912 children through the program's <i>Casas y Comedores de la Niñez Indígena</i> and <i>Casas y Comedores Comunitarios del Estudiante Indígena</i> . (225)
Assistance for At-Risk Minors and Adolescents Program†	Implemented by SNDIF at the state and municipal levels to assist youth at risk for child labor, including in commercial sexual exploitation and in illicit activities, by providing shelters, psychosocial assistance, and training. Research found the program was active during the reporting period in a few states and municipalities, but it is not implemented across all states and municipalities where the program is needed. (41,156)
USDOL-Funded Projects	USDOL-funded projects that aim to eliminate child labor through research, increased labor inspection capacity, and expanded participation in education, training, and social protection programs. These projects include <u><a href="#">Campos de Esperanza</a></u> , an \$11 million project implemented by World Vision which has reached over 5,300 sugarcane workers in targeted agricultural communities in Oaxaca and Veracruz; and <u><a href="#">MAP16</a></u> , an ILO-implemented global project, with \$2.4 million dedicated to support the Mexican National Child Labor Survey (ENTI 2019) with the results released in 2020. (9,226,227) Additional projects include <u><a href="#">Senderos</a></u> *, an \$8 million project implemented by Verité to combat child and forced labor in agricultural communities in Jalisco and Nayarit; <u><a href="#">EQUAL</a></u> *, a \$5 million project implemented by World Vision to increase women's and adolescent girls' economic empowerment in the agricultural sector; <u><a href="#">COFFEE</a></u> , a \$2.2 million project implemented by Verité in Brazil, Colombia, and Mexico to promote social compliance and develop tools for businesses to prevent, detect, and combat child and forced labor in coffee supply chains; and <u><a href="#">Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico - A Vision Zero Fund</a></u> *, a \$5 million project implemented by the ILO's Vision Zero Fund to improve the OSH of workers, with a focus on COVID-19, female workers, and workers in vulnerable conditions. (228-231) <u><a href="#">Senderos</a></u> uses workers' rights training, integrates grievance mechanisms for workers, and coordinates efforts with the Mexican government and the private sector to strengthen labor law enforcement in a sector that has long experienced poor working conditions, while <u><a href="#">EQUAL</a></u> works to increase vulnerable women and girls' access to safer and higher quality jobs and address gaps in social programs for impoverished families. <u><a href="#">COFFEE</a></u> builds the capacity of coffee producers, agronomists, field technicians, certifiers, and monitors in Mexico to identify and address labor issues in the coffee sector through online trainings that will be refined and available to the public via open source. <u><a href="#">Improving Workers' Occupational Safety and Health in Selected Supply Chains in Mexico - A Vision Zero Fund</a></u> will increase prevention and mitigation of COVID-19 and strengthen adherence to OSH laws and policies in selected supply chains. (228-231) For additional information, please visit our <u><a href="#">website</a></u> .

\* Program was launched during the reporting period.

† Program is funded by the Government of Mexico.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (41,156,232-238)



In 2020, the STPS created the Labor Policy Implementation Program to encourage companies to improve working conditions by promoting self-evaluation tools and sharing best practices from socially responsible companies, but it is unclear whether any companies have used these tools. (23,41,59)

Despite an increase in the rate of poverty and extreme poverty during the pandemic leading to an increase in the number of children vulnerable to child labor, the government did not implement any additional social protections programs that would prevent the root causes of child labor. (42,239-249) In addition, although the Full-Time Schools Program, known as the *Programa de Escuelas de Tiempo Completo*, had yielded positive results in the past, including reducing child labor in rural and marginalized communities by extending the school day and providing meals to students, in November 2020, funding for this program became dependent upon disbursement from another social program, *La Escuela es Nuestra*, causing delays in implementation. (146,237,250)

## 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 Mexico (Table II).

**Table II. 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.	2019 – 2020
Enforcement	Significantly increase the number of labor inspectors in accordance with the ILO's technical advice to provide adequate coverage of the workforce.	2019 – 2020
	Conduct refresher trainings and train federal and state-level labor inspectors on the Labor Inspection Protocol to Eradicate Child Labor and Protect Adolescent Workers and ensure its guidelines related to identifying and sanctioning child labor violations are followed.	2019 – 2020
	Ensure that the Secretariat of Labor and Social Welfare at the federal and state levels conduct targeted routine and unannounced labor inspections in all sectors, including in the informal sector and in rural areas.	2019 – 2020
	Improve coordination and information sharing between federal and state-level labor inspectorates.	2019 – 2020
	Publish information at the federal and state level on the number of child labor violations found, the number of child labor penalties imposed and collected, and the number of unannounced inspections conducted.	2019 – 2020
	Establish a case tracking system to ensure that violations of child labor laws are recorded and victims of child labor are referred to the appropriate services.	2019 – 2020
	Ensure that criminal law enforcement agencies receive sufficient funding to conduct investigations and prosecutions related to the worst forms of child labor and provide services to victims.	2019 – 2020
	Increase coordination among government ministries to ensure adequate criminal prosecutions of perpetrators of the worst forms of child labor.	2019 – 2020
	Increase training for enforcement officials, prosecutors, and judges to ensure adequate criminal law enforcement related to the worst forms of child labor.	2019 – 2020
	Publish information at the federal and state level on the number of investigations and prosecutions initiated and convictions secured, and disaggregate the number of prosecutions initiated and number of convictions secured by the number of cases involving children.	2019 – 2020
Coordination	Ensure that coordination mechanisms to combat child labor meet regularly and are adequately funded.	2019 – 2020
Government Policies	Adopt a policy that addresses all worst forms of child labor such as child trafficking, the use of children in commercial sexual exploitation, and the use of children in illicit activities.	2019 – 2020
Social Programs	Expand access to education by increasing school infrastructure, providing education materials and instruction in native languages, and ensuring that all children are able to attend school, including those in migrant or indigenous communities.	2019 – 2020
	Ensure that unaccompanied migrant children are placed in child protection centers instead of detention centers and receive access to education.	2019 – 2020
	Remove children from organized criminal groups and ensure that they are provided with adequate social services.	2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Social Programs	Ensure that government agencies addressing migrant and refugee populations effectively coordinate and are adequately funded to carry out their mandates.	2020
	Ensure that the Benito Juárez Wellbeing Scholarship Program provides sufficient assistance to vulnerable students and receives regular monitoring and evaluation to ensure effective implementation.	2019 – 2020
	Implement or expand social protection programs throughout the country for victims of child labor in all relevant sectors, including in commercial sexual exploitation and illicit activities.	2019 – 2020

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## SIGNIFICANT ADVANCEMENT

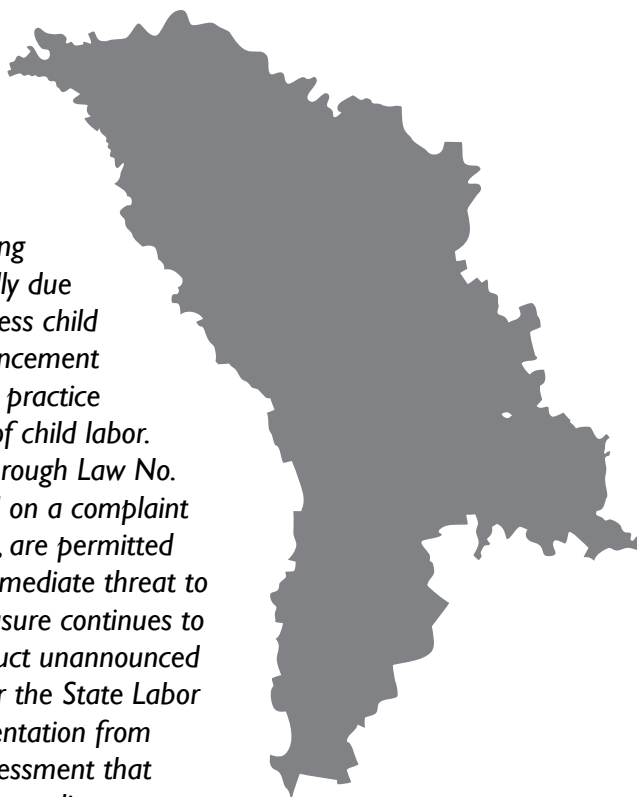
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In 2020, Moldova made minimal advancement in efforts to eliminate the worst forms of child labor. In January 2021, Parliament adopted Law No. 191, which reversed changes that had delegated responsibility for occupational safety and health inspections to 10 smaller agencies and returned it to the State Labor Inspectorate. The government also enacted legislation aimed at preventing exploitation of children separated from their parents, usually due to labor migration. However, despite new initiatives to address child labor, Moldova is receiving an assessment of minimal advancement because it continued to implement 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, such that unannounced inspections, even those based on a complaint or at the request of law enforcement or other state bodies, are permitted only on the basis of a risk assessment that indicates an immediate threat to the environment, life, health, or property. This stringent measure continues to severely limit the State Labor Inspectorate's ability to conduct unannounced inspections. In addition, inspections are only permitted after the State Labor Inspectorate first requests and receives insufficient documentation from the business being inspected or after conducting a risk assessment that finds reasonable indicators of a possible violation. When responding to a complaint, inspectors are not authorized to take action for labor violations they may see which fall outside the scope of the complaint. Children in Moldova are subjected to 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. Training is needed for new criminal investigators, and entities responsible for conducting occupational safety and health inspections, including of hazardous child labor, lack adequate capacity to do so. In addition, there is a lack of social programs to address child trafficking and child labor in agriculture.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Moldova are subjected to 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. (1-4) Table 1 provides key indicators on children's work and education in Moldova.

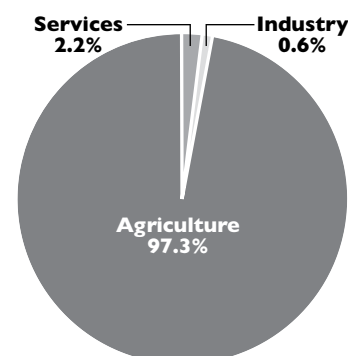
**Table 1. Statistics on Children's Work and Education**

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 (%)		88.0

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey-Child Labour Survey (LFS-SIMPOC), 2009. (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.



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

Sector/Industry	Activity
Agriculture	Agriculture,† including growing and harvesting crops, picking fruits, and raising farm animals (1,2,7-12)
	Forestry, including transporting heavy loads (7)
	Fishing, including feeding fish (2,7)
Industry	Construction,† including carrying heavy loads and welding† (1,2,7,8,13)
	Working in the garment sector (2,7)
	Baking,† including confectionary and food preservation (2,7)
	Sanitation and waste management (1)
Services	Street work, including begging and washing cars (1,3,7,12,14-16)
	Domestic work (2,16)
	Working in wholesale, retail, restaurants, amusement parks, and transportation (1,2,7,11,16,17)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation and forced begging, each sometimes as a result of human trafficking (2,4,7,12,16,18,19)
	Illicit drug trafficking (1)

† 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 separatist region of Transnistria, which is not under the control of Moldovan authorities. (1,2,7,16) Civil society sources report that the child labor situation in Transnistria does not differ significantly from the rest of Moldova. (1) However, victims of child labor and human trafficking in Transnistria do not have access to Moldovan legal protections or social services. (4)

Both boys and girls as young as age 10 are recruited for commercial sex and other forms of commercial sexual exploitation. (2-4,14,19) Child online sexual exploitation, including the production and distribution of child pornography, has increased in recent years. (7) Moldova is also a destination country for child sex tourism. (3,4)

Trafficking of children, particularly those suffering from familial neglect, continues to be a concern in Moldova and Transnistria. (3,4,9,12,16,18,20,21) Traffickers exploit children ages 5 to 14 in commercial sex and child labor, mainly in the agriculture, service, and industrial sectors. (4) Children living on the street or abandoned by parents migrating abroad remain particularly vulnerable to child labor and human trafficking, especially those in orphanages or boarding schools. (4,7,12,16,19,20) Vulnerable children from Transnistria are at an increased risk of being trafficked through Ukraine’s Odessa region. (19,22,23)




During the reporting period, the Ministry of Education, Culture and Research established a mechanism of reporting daily attendance in all primary and secondary general educational institutions. While formally established for medical reasons, authorities report that the mechanism proved to be effective at reducing dropouts and absenteeism. (1) Children in Moldova are also guaranteed free transportation to school, and no fees are required for schooling through grade 10. However, students in grades 10 through 12 are often charged fees to rent textbooks. (1) Children from Roma communities continue to be at higher risk of dropping out due to discrimination by school officials and non-Roma students, and are more vulnerable to child labor and human trafficking. (1,4,12) Schools in rural areas often lack a sufficient number of teachers, and mainstream schools lack adequate resources to address the needs of children with disabilities. (1)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

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**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 Moldova'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 46 of the Labor Code (24)
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 (24,25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Government Decision No. 541; Articles 2–3 of the Collective Convention on Elimination of the Worst Forms of Child Labor; Articles 103, 105, and 255–256 of the Labor Code (24-26)
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 (24,25,27,28)
Prohibition of Child Trafficking	Yes		Articles 2 and 25–30 of the Law on Preventing and Combating Trafficking in Human Beings; Collective Convention on Elimination of the Worst Forms of Child Labor; and Article 206 of the Criminal Code (25,28,30)
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 (25,28,31,32)
Prohibition of Using Children in Illicit Activities	Yes		Articles 208 and 217 of the Criminal Code; Collective Convention on Elimination of the Worst Forms of Child Labor (25,28)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of Law No. 162-XVI on the Status of Military Servicemembers (33)
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 (34)
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 (28,31)
Compulsory Education Age	Yes	18	Articles 13 and 152 of the Education Code of 2014 (35)
Free Public Education	Yes		Article 35 of the Constitution; Article 9 of the Education Code of 2014 (27,35)

In 2020, the government passed two laws aimed at protecting children who have been separated from their parents or adult guardians. Law No. 112 establishes procedures for identifying vulnerable children and referring them to appropriate social services, and Government Decision No. 132 provides government allowances to children and students who do not have parental care. (1,36,37)

The minimum age law does not meet international standards because it does not apply to all children working in the informal sector, including those who are self-employed. Although Article 46(3) of the Labor Code

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permits children as young as 15 to work, the law does not specify the conditions in which light work may be undertaken. (24) In addition, the minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (24,35)

### 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 authority of enforcement agencies 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 (MHLSP) State Labor Inspectorate (SLI)	Enforces child labor laws through inspections of labor relations of enterprises, institutions, and organizations, regardless of their type or legal form. (1,7,38) Oversees the National Coordination Unit and Child Labor Monitoring Unit, which is responsible for coordinating activities related to the protection of victims and those vulnerable to human trafficking. (23) However, the Child Labor Monitoring Unit has been functionally defunct since 2017 when half of SLI's staff was reassigned to sectoral regulating agencies for occupational health and safety. (39) Publishes an annual report on the previous year's activities. (1,40)
Sectoral Regulating Agencies	Enforce occupational safety and health (OSH) laws, including those related to hazardous child labor, in specific sectors designated by law. Conduct OSH inspections of enterprises operating in respective sectors of responsibility. (7) Ten entities had sectoral OSH enforcement mandates: the National Food Safety Agency, the Consumer Protection and Market Surveillance Agency, the National Public Health Agency, the Environmental Protection Inspectorate, the National Road Transport Agency, the Civil Aeronautics Authority, the Naval Agency, the National Energy Regulation Agency, the National Electronic Communication and Informational Technology Regulation Agency, and the Technical Supervision Agency. (7) In January 2021, responsibility for OSH enforcement returned to SLI. (1)
Committee for Combating Trafficking in Persons within the Ministry of Internal Affairs	Leads criminal investigations and arrests perpetrators, including for the trafficking of children for both labor and sexual exploitation. (4,7) Cooperates with the Border Police Inspectorate, National Anti-Corruption Center, and Customs Service. (1,7) Provides partial funding for the operation of a 24/7 trafficking in persons hotline. (4,19)
Specialized Prosecution Office for Organized Crime and Special Cases and Anti-Trafficking Bureau within the Prosecutor General's Office (PGO)	Monitors and analyzes human trafficking cases in the Anti-Trafficking Bureau within PGO. (1,3) Includes a unit to investigate and prosecute cases. (14)

During the reporting period, laws and practices introduced as part of government restructuring in 2017 and 2018 continued to limit the power of the State Labor Inspectorate (SLI) to enforce child labor laws. Laws No. 179 and No. 131 mandate that all labor inspections begin with a desk review and permit site visits only if the subject of an inspection provides insufficient documentation or if a risk-assessment procedure finds reasonable indicators of a possible violation. (1,4,7,41-45) Site visits, including those conducted in response to complaints, cannot take place until after the target of an inspection has had 5 days to respond to a request for documents. This request serves as de facto advance notice of an inspection. (1,4,7,41-45) The law contains a provision that permits inspectors to forgo the documentary inspection and proceed directly to an onsite inspection with managerial approval if a risk assessment indicates an immediate threat to the environment, life, health, or property. However, in practice this exception is not widely used, and the government reports all inspections that are not in its annual published inspection plan to be "unannounced." (1,46) Although the SLI is able to receive complaints, procedures to submit a complaint can be cumbersome, and complaints cannot be anonymous. (1,7,47) Furthermore, labor inspections that take place onsite can focus only on the potential violations that have been identified in advance through either the complaint process or a desk review, even if other violations, such as child labor, are observed. (4,39,42) Labor inspectors may face disciplinary action or civil liability for investigating issues outside the scope of the specific complaint that triggered the inspection. (39) In 2020, these strict measures continued to limit the number and scope of onsite inspections, including unannounced inspections, that labor inspectors were empowered to conduct. (1,7,41,43,44)

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In 2020, the SLI also lacked authority to investigate workplace accidents and enforce penalties for occupational safety and health (OSH) violations, including of hazardous working conditions for children. (1,4,41,42) In 2020, 10 sectoral regulating agencies had mandates to enforce OSH laws; in November, however, Parliament adopted Law No. 191 that returned this authority to the SLI beginning in January 2021. Sources indicate that a lack of training and capacity limited these agencies' ability to adequately enforce OSH laws, including those related to hazardous child labor. (1,4,7,41,42) OSH inspections routinely took place onsite, and those that were not published in its annual inspection plan occurred without prior communication with the employer. In 2020, OSH inspections identified 25 minors in the workplace but did not report that they were engaged in activities which would constitute child labor violations. (39) The law designates the SLI as national coordinator and monitor for the observance of legislation on OSH, but there are no bylaws laying out the mechanism, nor is there separate legislation dedicated to coordination and monitoring of child labor. (1)

The Transnistrian region is not under the control of Moldovan authorities, who are prevented from carrying out inspections and law enforcement there. (1,4,48,49)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Moldova took actions to combat child labor (Table 6). However, gaps exist within the operations 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	2019	2020
Labor Inspectorate Funding	\$657,663 (7)	\$795,613 (1)
Number of Labor Inspectors	82 (50)	78 (1)
Inspectorate Authorized to Assess Penalties	No (50)	No (51)
Initial Training for New Labor Inspectors	Yes (7)	Yes (1)
Training on New Laws Related to Child Labor	Yes (7,49)	No (1)
Refresher Courses Provided	Yes (7)	Yes (1)
Number of Labor Inspections Conducted	1,549† (7)	2,153 (1)
Number Conducted at Worksite	696† (7)	1,330 (1)
Number of Child Labor Violations Found	21† (52)	19 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	6 (52)	2 (1)
Number of Child Labor Penalties Imposed that Were Collected	3 (52)	Unknown (1)
Routine Inspections Conducted	Yes (7)	Yes (1)
Routine Inspections Targeted	Yes (7)	Yes (1)
Unannounced Inspections Permitted	No (7)	No (45)
Unannounced Inspections Conducted	No (53)	Yes (50)
Complaint Mechanism Exists	Yes (7)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (7)	Yes (1)

† Data are from January 1, 2019 to October 30, 2019.

Moldova reported employing 78 labor inspectors in 2020: 42 in the SLI and 36 among the sectoral agencies responsible for OSH concerns. (1) According to the ILO's technical advice of a ratio approaching 1 inspector for every 20,000 workers in transition economies, Moldova would employ about 65 labor inspectors. (54,55) However, the SLI has reported that its funding and the number of labor inspectors are insufficient to adequately conduct child labor inspections. (1,7) In addition, amendments made to Decree 788 in 2018 limit the total number of personnel the SLI can hire to 28 staff members serving as the main office staff, and 45 labor inspectors serving in 10 regionally focused subdivisions. (1,7,39,48,56) Although the SLI can recommend that penalties be assessed for labor violations, the authority to impose and collect these penalties remains with the courts. (1)

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Due to the COVID-19 pandemic, in-person labor inspections and interviews were suspended between March and June 2020. Labor inspections that pertain to any non-OSH concerns are the responsibility of the SLI, which must begin all investigations with a request for documentation from the employer, except in cases in which a risk assessment indicates an immediate threat to the environment, life, health, or property. (1,39) The government reported that some unannounced inspections did take place during the reporting period using the risk assessment provision, but it did not provide information on how many such inspections were carried out. (50) Documentary inspections continued on a limited basis with labor inspectors working remotely. (1) During the reporting period, the SLI identified child labor violations in the agriculture, construction, recreation, hospitality, and sanitation sectors involving a total of 19 children and 15 employers. Educational institutions referred 27 cases of suspected child labor exploitation to the National Referral System, and police referred 13 suspected cases. (1) The SLI recommended penalties for four child labor violations, which under Moldovan law must be reviewed by the courts before fines are issued and collected. Courts issued fines in two of these cases, and the other two cases remain pending. (1,51) 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 an insufficient number of labor inspectors, budget limitations, cultural acceptance of child labor on family farms, and legal limitations on the government’s ability to conduct inspections. (1,4)

The 10 sectoral agencies tasked with OSH labor enforcement mandates conducted a total of 815 inspections in 2020. These sectoral regulating agencies were authorized to impose penalties for OSH violations; however, no additional information on these inspections, including data on observed violations or penalties assessed, was provided for inclusion in this report. (1)

During the reporting period, the government did not provide labor inspectors with any training specific to child labor. Labor inspectors were, however, offered one training course on assisting employers and employees with practical implementation of regulations to mitigate risks related to the pandemic. (1)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Moldova 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 new criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (7)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (7)	No (1)
Refresher Courses Provided	Yes (7)	Yes (1)
Number of Investigations	34† (7)	16 (1)
Number of Violations Found	109 (19)	32 (1)
Number of Prosecutions Initiated	30 (19)	21 (1)
Number of Convictions	16† (7)	1 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (7)	No (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (7)	Yes (1)

† Data are from January 2019 to October 2019.

In 2020, authorities identified 23 child victims of trafficking (20 of whom were trafficked for sexual exploitation, 2 for labor exploitation, and 1 for forced begging). Separately, nine minors ages 16 to 17 were used by criminal groups to traffic drugs. (1,12)

In 2020, the Committee for Combating Trafficking in Persons (CCTIP) initiated the criminal prosecution of a woman who allegedly trafficked three children for the purpose of commercial sexual exploitation. In addition,



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one person was convicted for child labor offenses and sentenced to 17 years' imprisonment. (1) In continuation of a case that began in 2019, in January 2020, one individual was arrested for suspected involvement in a transnational child trafficking ring that recruited and transported adults and children to Greece for the purposes of commercial sexual exploitation. (12)

In 2020, the CCTIP and other law enforcement agencies sent officers to at least 15 trainings on human trafficking, child pornography, child online sexual exploitation, and child protection. However, reports indicate that many authorities still lack adequate training to identify potential child trafficking victims. (1) Laws providing special interview services for child victims of human trafficking are also not uniformly applied, which can result in re-traumatization of victims. (3)

Within the judiciary, specialized judges are trained specifically to handle cases involving human trafficking and other related crimes, such as child pornography. (12) However, online recruitment, solicitation of sexually explicit content, and online threats are inconsistently handled. Investigators sometimes treat these crimes as child trafficking offenses and sometimes as sexual harassment, which is considered a less serious crime. (16) Judges sometimes reclassified cases from trafficking crimes to crimes with lesser penalties, such as pimping. When such reclassification occurs, victims of trafficking are no longer protected by the provision of the criminal code which exempts trafficking victims from criminal liability for offenses committed because of their exploitation. (4) In addition, law enforcement failed to use special investigation measures to investigate child pornography, which was not treated as a serious crime by investigators. (16)

Criminal investigators within the CCTIP have well-furnished offices as a result of USG support over the last 10 years. However, the CCTIP does not have sufficient vehicles or fuel allocations for its daily investigations activities or updated computer equipment. (1) High staff turnover in the past year has also hindered the CCTIP's effectiveness. (1,4)

**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 adequate coordination of efforts to address child labor, including coordination efforts of the National Council for the Protection of Child Rights.

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

Coordinating Body	Role & Description
National Council for Human Rights	Monitors and assesses the implementation of the Human Rights National Action Plan (2018–2022), which includes activities dedicated to protecting child rights and combating exploitation of children, including in child labor. (1,7,57,58) Monitors, evaluates, and coordinates efforts to comply with other national policies related to human rights and human rights treaties to which Moldova is a State Party, including those related to child labor. (57)
National Committee for Combating Trafficking in Persons	Coordinates efforts to prevent and combat child trafficking and child sexual exploitation. Members include SLI, Security and Intelligence Service, Agency for Public Services, and other government departments. (2,8,16,22) Drafts legislation related to human trafficking, participates in anti-trafficking campaigns, and develops national action plans. (18) In May 2020, published a national report on the implementation of anti-trafficking policy in the previous year. (59)
National Referral System for the Protection and Assistance of Victims and Potential Victims of Human Trafficking (NRS)	Builds the capacity of multidisciplinary teams at the local level, which include community social assistants, police officers, and NGO workers, to improve victim identification and referral for crisis intervention and rehabilitation. (1,16,18) Part of MHLSP and represents the main institutional mechanism for the provision of rehabilitation and reintegration assistance to victims of labor exploitation and sexual violence. (1,60)
National Council for the Protection of Child Rights	Coordinates national efforts to combat child exploitation and improve access to education. (8) Chaired by the Prime Minister, and includes the Deputy Minister of Health, Labor, and Social Protection, and representatives from the Ministries of Justice, Education, Interior, Foreign Affairs and European Integration, and others. (1,61) Has a working group to discuss existing gaps in the current birth registration process and develop recommendations. (61,62) Met three times during the reporting period, but research was unable to determine whether any actions were taken to advance the Council's mandate. At its last meeting, the Council discussed amendments to the law on labor inspections which returned responsibility for OSH inspections to SLI. (1)

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

Coordinating Body	Role & Description
Human Rights Ombudsman	Monitors and publishes annual reports on observance of human rights, including the rights of children. Through the Office of the Ombudsman for Children's Rights, receives and responds to complaints about children's rights violations, including child labor. (63) In 2020, published a report on intersectoral cooperation in the field of children's rights. (64)

In February, the Government revised Government Decision No. 65, originally enacted in 2019, to establish the National Council for Human Rights with the purpose of monitoring and assessing the implementation of the 2018–2022 Human Rights National Action Plan and other national policy documents. (1,65) The 2018–2022 Human Rights National Action Plan includes items to address the protection of children's rights and prevention of violence against and exploitation of children. During the reporting period, the new Council met once to review a number of Moldova's international commitments under the UN Convention on the Rights of Persons with Disabilities, the Convention on the Elimination of all Forms of Discrimination against Women and human rights. (1)

The government worked with the IOM to expand the mandate of the National Referral System into a National Referral Mechanism that would merge with other victim assistance mechanisms and offer protection and services to additional vulnerable populations. During the reporting period, this expansion was submitted by the Ministry of Health, Labor, and Social Protection as part of the government's 2020–2030 National Development Strategy, but it was not approved. (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 implementation.

**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. (66) Research was unable to determine whether activities were undertaken to implement the Child Protection Strategy during the reporting period.
Action Plan for Preventing and Combating Trafficking in Human Beings (2018–2020)	Outlines how law enforcement agencies should work to combat human trafficking, provides support to victims of human trafficking, and aims to create standards for the operation of victim witness rooms for children, among other tasks. (3,67) Carried out by the Permanent Secretariat Directorate of the National Committee for Combating Trafficking in Persons. (3) Includes an accompanying National Strategy for Combating Trafficking in Human Beings 2018–2023. (3,67) Research was unable to determine whether activities were undertaken to implement the Action Plan for Preventing and Combating Trafficking in Human Beings during the reporting period.
Moldova Strategy Country Note Program Priorities (2018–2022)	Focuses on protecting 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 because of migration. (68) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
Moldova-EU Association Agenda (2017–2019)	Protected and promoted children's rights. (69,70) The Government of Moldova and the Council of the EU drafted changes to a number of laws on child rights concerning adoption and custody of children whose parents have migrated outside the country. The changes were approved by Parliament in July 2020. (1)
Action Plan to Support the Roma People (2016–2020)	Aimed to promote social inclusion of Roma people. Included the goals of education, social protection, and combating discrimination. (71,72) Funded by the government, private partnerships, and the EU. (70) Research was unable to determine whether activities were undertaken to implement the Action Plan to Support the Roma People during the reporting period.

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (7,58)

During the reporting period, the government worked with UNICEF to begin drafting a new National Program on Child Protection for 2021–2025. (1)

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## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (73) In 2020, the government approved legislative changes proposed as a part of this program that returned OSH inspections to SLI. (50)
Center for Protection and Assistance for Victims of Human Trafficking†	Government-funded shelter for victims of human trafficking from Moldova that offers accommodations, rehabilitation, and reintegration services, and which contains a special wing for child victims. (1,7) In 2020, 21 children received services at these shelters. (1,12)
Child Helpline†	Managed by the NGO National Center for the Prevention of Child Abuse, provides psychological counseling and information to parents and children experiencing violence, neglect, or exploitation. (7,12) In 2020, the helpline received 4,268 calls. (12)
Hotlines†	One human trafficking hotline is managed by MHLSP, and refers cases within NRS. (3,7) PGO manages the Anti-Trafficking Green Line Telephone for specialist prosecutors. (1,7) In addition, the NGO La Strada manages the national hotline for women and children, which received 2,040 calls in 2020. (12)
Social Aid Program and Social Support for Families with Children‡	Provides cash assistance to families. The Social Aid Program, implemented by the district departments of social assistance and family protection, has provided aid for low-income families since 2008; this program continued to operate in 2020. (1,74) The Social Support Service for Families with Children program has operated since 2013. The government allocated \$1.85 million for families in 2020. (1)

† 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. (3,7,19)

Civil society organizations have assisted in removing children from exploitive situations, but much of this work is done with the support of foreign donors. Observers report there are insufficient services for resocialization and reintegration of child victims of sexual exploitation and sexual abuse. (1,12) Existing social programs do not meet the current level of need, particularly for children working in agriculture and child victims of human trafficking who require long-term care. (3,7)

## 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 Moldova (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that labor legislation covers children working in the informal sector, including those who are self-employed.	2020
	Ensure that the law's light work provisions are sufficiently specific to prevent children from involvement in child labor.	2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that entities responsible for conducting occupational safety and health inspections have the training and capacity to carry out these inspections in all sectors in which child labor is known to occur so that child labor violations are accurately detected.	2018 – 2020
	Strengthen the labor inspection system by eliminating barriers for onsite inspections and conducting unannounced inspections.	2018 – 2020
	Ensure that labor inspectors are empowered to identify and assess penalties for child labor violations detected during inspections, even if the inspection was not conducted in response to a child labor complaint.	2019 – 2020
	Clearly define the responsibilities of the Child Labor Monitoring Unit and ensure that it is able to carry out its mandate.	2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	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 for child labor.	2012 – 2020
	Ensure the process to file child labor complaints is simple, transparent, and can be done anonymously.	2019 – 2020
	Publish information on the number of child labor violations detected during occupational safety and health inspections conducted by sectoral regulating agencies.	2019 – 2020
	Ensure that investigators, including police officers and Committee for Combating Trafficking in Persons investigators, 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 – 2020
	Pursue prosecution of the worst forms of child labor under the appropriate statutes and maintain protection for victims who commit crimes as a result of their exploitation.	2020
Coordination	Ensure that the National Council for the Protection of Child Rights meets and carries out its mandate.	2019 – 2020
Government Policies	Publish information about activities undertaken to implement policies related to child labor, including the Child Protection Strategy, the Action Plan for Preventing and Combating Trafficking in Human Beings, the Moldova Strategy Country Note Program Priorities, and the Action Plan to Support the Roma People.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, including for the separatist region of Transnistria.	2013 – 2020
	Provide adequate resources for schools in rural and poorer communities, as well as those serving children with disabilities.	2020
	Enhance efforts to eliminate barriers to education by removing informal fees for school supplies.	2018 – 2020
	Institute targeted support programs that eliminate discrimination and violence against Roma children and promote equal access to education.	2014 – 2020
	Ensure sufficient support for child trafficking victims and children working in agriculture.	2015 – 2020

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In 2020, Mongolia made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Child Protection Compact Partnership, signed between the Governments of Mongolia and the United States, to combat child labor in the country. The General Agency for Specialized Inspection also conducted three large-scale child labor and protection issue surveys. Furthermore, the government's stimulus package included a five-fold increase for the Children's Money Program—which offsets costs related to food, schooling, and clothing—to mitigate the economic impacts of the COVID-19 pandemic. However, despite new initiatives to address child labor, Mongolia is receiving an assessment of minimal advancement because it continued a regression in law that delayed advancement to eliminate child labor. During the reporting period, 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 are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also engage in dangerous tasks in mining and horse jockeying. Some Mongolian legal statutes do not meet international standards, including that the minimum age for work does not apply to children in the informal sector or to those who are self-employed. In addition, laws do not establish criminal penalties for forced labor or slavery, the use of children in prostitution, or the use, procurement, or offering of a child for the production and trafficking of drugs.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mongolia are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation. Children also engage in dangerous tasks in mining and horse jockeying. (1-7) Table 1 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 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	11.4 (Unavailable)
Attending School (%)	5 to 14	94.8
Combining Work and School (%)	7 to 14	12.6
Primary Completion Rate (%)		107.5

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (8)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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	Animal husbandry,† including herding† (2,3,5,10-12)
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† (2,3,5,10-12)
	Mining† coal,† gold, and fluorspar (2,3,10,12,14-17)
Services	Horse jockeying† (1,3,5,6,10-12,18,19)
	Scavenging in garbage dumpsites (2,3,5,10-12,20)
	Handling freight† (2,3,5,10,12)

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

Sector/Industry	Activity
Services	Domestic work† (3,5,10-12,18)
	Ticket-taking for public transportation† (3,5,10,12,18)
	Street work, including vending,† and washing cars (5,10,12,17,21)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography (3,5,10-12,19,22)
	Forced labor in begging (3,5,11,12)
	Forced labor in construction, mining, horse jockeying, animal husbandry, industrial sectors, and contortionist work (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.

Mongolian children are generally trafficked internally for the purpose of commercial sexual exploitation in saunas, bars, hotels, karaoke clubs, and massage parlors. However, many of these venues closed during the COVID-19 pandemic and forced victims to work from client's homes, making it difficult to detect trafficking. (3,10-12,19,20,23,24) Furthermore, according to Mongolia’s National Child Labor Survey, children’s employment is more prevalent in rural areas than in urban areas, with 9 out of 10 children exploited in situations of hazardous work found to be boys. (2,3,16) 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. (1,4-7,10,12,25,26) Although Mongolian law prohibits participation in pre-training and horse racing during November 1 through May 1, children continue to participate in these activities throughout the year. (5-7,16,19,27-30) In addition to safety concerns, participation in horse racing may impact school attendance, particularly because Mongolian law does not set an age limit for jockeys except during the Naadam Festival in July, during which children as young as age 7 are allowed to participate. (16,19,26,27)

Due to concerns about the pandemic, the Government of Mongolia issued a resolution on June 8 that curtailed all celebrations and sporting events related to the Naadam Festival, thus leading to a significant reduction in the number of official horse racing events. Despite this effort, the Family, Child, and Youth Development Agency (FCYDA) reported 17,450 instances of child jockey participation in Naadam races; however, children who competed in multiple races were counted more than once, making the total number of individual children racing likely lower. (31,32) According to the FCYDA data, 247 child jockeys fell from their horses during Naadam-related racing, and 4 children were severely injured. (31)

As the mining industry continues to grow in the southern part of Mongolia, children, particularly girls, are at increased risk of commercial sexual exploitation and forced labor in artisanal mining. Girls are vulnerable to exploitation in nightclubs near mining towns, solicitation by drivers waiting to cross the border into China, or becoming victims of sex trafficking while their parents are on extended shift rotations. (11,16) Increasingly, boys are hired by Chinese companies to work at agricultural establishments, sometimes under ambiguous immigration status, putting them at a high risk for human trafficking. (11)

During the reporting period, the Ministry of Labor and Social Protection, with funding from the Government of South Korea, conducted a survey on the vulnerability of children to prostitution and sexual exploitation that included human trafficking elements. However, survey results were not made available during the reporting period. (11,31) The FCYDA began to assemble a database containing information on high-risk populations and collaborated with an international NGO to establish multi-disciplinary committees—at the district and capital levels—focused on at-risk children’s rights and protections, including some anti-trafficking equities. (11) Furthermore, IOM, in coordination with the Government of Mongolia, initiated an assessment of the impact of the Law on Combatting Trafficking in Persons. IOM also began an assessment of the risks that lead to human trafficking within the country. In addition, during the reporting period, UNICEF began a survey to understand why children were being victimized on social media. (24)




## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Children in Ulaanbaatar and in rural areas may face challenges in accessing education due to an insufficient number of schools, overcrowding, a lack of trained teachers, and a lack of accessibility for children with disabilities. (5,12,16,19,30,33) In addition, families must register their residence as well as provide an original copy of a child's birth certificate for their children to have access to a free public education. (5,12) During the reporting period, the government suspended in-class education due to the pandemic but offered alternatives to in-person education, including educational television broadcasts and online classes. (12,24) However, many children—including many children with disabilities—lacked appropriate resource to access these services, such as electricity, laptops, and televisions. (12,31) According to educators, although a new legal requirement—Government Resolution No. 235 ("Measures Regarding Inclusive Education")—mandating that all mainstream schools accept students with disabilities came into effect during the reporting period, the infrastructure was inadequate to allow full accessibility to students with disabilities. (12,30,31,34)

## 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 (35)
Minimum Age for Hazardous Work	Yes	18	Article 141 of the Law on Labor; List of Jobs and Occupations Prohibited to Minors (35,36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 2–3 of the List of Jobs and Occupations Prohibited to Minors; Article 8 of the Law on the National Naadam Holiday (36,27)
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 (35,37-39)
Prohibition of Child Trafficking	Yes		Law on Combating Trafficking in Persons; Article 13.1 of the Criminal Code (37,39,40)
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 (37,39,41)
Prohibition of Using Children in Illicit Activities	No		Articles 16.1–16.4 and 16.8–16.10 of the Criminal Code (37,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 12 of the Law on Military (42)

**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 12 of the Law on Military (42)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Article 46 of the Law on Education (43)
Free Public Education	Yes		Article 16 of the Constitution of Mongolia; Articles 6.1–6.3 of the Law on Education (43,44)

During the reporting period, the government amended the Criminal Code to include new Article 12.6, which increased criminal penalties for procuring or inducing a person to prostitution. If the crime involves a person under the age of 18, defendants are subject to liability for a human trafficking crime. (24,45) The revised 2019 draft Labor Law that would allow the General Agency for Specialized Investigation (GASI) to execute unannounced inspections has yet to be signed into law. (24)

Mongolia’s legal framework does not meet several international standards to protect children. (37,39,40) The Labor Code, which sets a minimum age of 16 to “enter into an employment agreement” does not apply to children in the informal sector or to those who are self-employed, including children who work as horse racing jockeys in May through October. (27,30,46-48) In addition, the laws do not specifically criminalize forced labor other than forced begging and forced hazardous work. (35,37-39,41) Furthermore, Article 16.1 of Mongolia’s criminal code prohibits the inducement of children to commit a crime; however, the law does not specifically cover the use of children in illicit activities. The law is insufficient to meet international standards because it requires threats, the use of force, or coercion to be established for the crime. (37,39)

### 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 authority of enforcement agencies 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	Enforces labor laws, including those related to child labor. (11,24,28) Conducts inspections at registered businesses in the formal sector. (11,28) As an independent agency, reports to the Deputy Prime Minister. (21)
National Police Agency	Maintains primary responsibility for investigating criminal cases. (23,24,49) Provides protection to victims and witnesses throughout the judicial process. Reports to the Ministry of Justice and Home Affairs. (49) 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. (21) The Crime Prevention Division works to protect unattended children on the streets, identifying and returning children to their parents or referring them to Child Care and Protection Centers. (49) The Juvenile Crime Prevention Unit protects children from being victims of crime and prevents them from committing crimes. (10,49)



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

Organization/ Agency	Role
National Police Agency	<p>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 to take a case to court. Oversees the Anti-Trafficking Unit that has primary responsibility for investigating human trafficking cases and is comprised of one Chief Police Officer and four junior investigators. (11,20,22,24,50,51) Uses an 11-question risk assessment checklist to help accurately identify human trafficking victims and refers them to short- or long-term care facilities. (3,5,10-12,22,51) However, research noted that the use of these checklists was inconsistent. Each police district in Ulaanbaatar has a designated police officer who is responsible for trafficking in person cases. (24) The Criminal Police Department is not empowered to close venues complicit in the worst forms of child labor but can take action against individuals. (24)</p> <p>During the reporting period, the National Police Agency launched and co-organized a month-long program called "Cast No Shadow" to combat sexual abuse of children with the Family, Child, and Youth Development Agency (FCYDA), and held 53 workshops with 90,545 participants, including 156 government organizations. (11,31,32,52) In addition, posters, songs, and video content were developed, as well as the "Hidden 3" operation that was organized to help identify unreported child victims of sexual exploitation and track potential offenders. (31) The Anti-Trafficking Unit identified 40 victims of sex trafficking, including 24 girls between the ages of 14 and 18. Three of these girls were referred for shelter services operated by FCYDA. (24,31)</p>
Anti-Trafficking Enforcement: Mongolian Immigration Agency and General Authority for Border Protection	Responsible for trafficking cases involving victims who cross international borders, including children. Both agencies are responsible for tracking minors who cross the border and identifying cases in which adults return to Mongolia without the minors who departed Mongolia with them. (24)

In 2020, the FCYDA employed 54 child rights officers who oversaw child protection issues, including child labor, and identified and removed 18 children working in conditions of hazardous labor. (12,31) The FCYDA 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 a response team available 24 hours a day, and is made available to police. (3,5,10,12,30,50,51) In addition, the FCYDA maintains a nationwide database for tracking case status and social services needs of vulnerable children that is accessible from all FCYDA local and central offices. (5,10,12) During the reporting period, the FCYDA reported that it assisted 723 child laborers nationwide. (12,31)

During the reporting period, the Government of Mongolia approved a resolution to increase the fiscal year 2021 budget for child welfare by \$880,000 and tripled the number of child protection officers from 53 to 156. (24)

**Labor Law Enforcement**

In 2020, the lack of authorization to conduct unannounced inspections in Mongolia 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	2019	2020
Labor Inspectorate Funding	Unknown (5)	\$709,330 (31)
Number of Labor Inspectors	66 (5)	83 (31)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (35)
Initial Training for New Labor Inspectors	Yes (5)	No (31)
Training on New Laws Related to Child Labor	Yes (5)	N/A (12)
Refresher Courses Provided	Yes (5)	Yes (31)
Number of Labor Inspections Conducted	2,133 (5)	1,566 (31)
Number Conducted at Worksite	2,133 (5)	1,566 (31)
Number of Child Labor Violations Found	Unknown (5,16)	0 (31)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (5,16)	0 (31)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5,16)	0 (31)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Yes (5)	Yes (31)
Routine Inspections Targeted	Yes (5)	Yes (31)
Unannounced Inspections Permitted	No (5)	No (53)
Unannounced Inspections Conducted	N/A (5)	N/A (12)
Complaint Mechanism Exists	Yes (5)	Yes (12)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (12)

During the reporting period, all pre-scheduled labor inspections—except inspections at horse races—were cancelled to allow labor inspectors to be reassigned to assist with pandemic-related functions. (31) 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. (3,10-12,19,23,24,30) In addition, GASI's overall strategy is to conduct pre-announced inspections in the formal sector only, leaving children working in the informal sector more susceptible to child labor. (4,5,12,30)

During the reporting period, the government and NGOs noted that funding and resources for inspectors remained insufficient. (5,10-12,54)

The government only conducts child labor inspections at horse racing events between June and October, during the months that children are legally allowed to participate in races. During these inspections, GASI verifies that riders meet minimum age requirements, use safety equipment, and obtain required insurance, but GASI does not have the authority to impose penalties for child labor law violations found in horse racing. (5,10,12,30) Although child rights officers have the ability to impose sanctions for certain labor law violations under the Child Protection Law, including child labor violations related to horse racing, the law suggests that they may only be allowed to do so if the child actually suffers harm. (55,56) In addition, liability for violations related to horse racing appears to extend only to stakeholders and organizers of races, and it may not cover parents or other family members who use children as jockeys. Given the lack of clarity in the language of the Child Protection Law, many violators are able to evade punishment. (55,56)

The Family, Child, and Youth Development Agency reported its child rights officers did not receive any training in 2020. Information on trainings received by GASI officers was not available. (12)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Mongolia took actions to combat child labor (Table 7). However, gaps exist within the operations of the criminal enforcement agencies that may hinder adequate enforcement of their child labor laws, including training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (5)	Yes (57)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (5)	N/A (12)
Refresher Courses Provided	Yes (5)	Unknown (12)
Number of Investigations	Unknown (5)	41 (12)
Number of Violations Found	16 (58)	Unknown (12)
Number of Prosecutions Initiated	Unknown (5,16)	12 (31)
Number of Convictions	Unknown (28)	Unknown (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (58)	Unknown (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (12)

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During the reporting period, the government distributed 50,000 informational passport inserts at its border with Russia and China to raise awareness of human trafficking issues and provide information regarding resources for potential victims; recipients included approximately 1,000 children. The government also disseminated daily human trafficking-themed public service announcements on social media platforms, radio, and television that were played at stations along rail lines connecting Mongolia to Russia and China. (11,57)

The National Police Agency reported that one case from 2019 involving forced beggary of a child remained under active investigation in 2020, as did investigations into eight cases involving inducing a child into pornography. In addition, two cases of inducing a child into drug addiction were under active investigation during the reporting period. (12) In 2020, the government reported that 17 children were involved in commercial sexual exploitation, including child pornography. (12) The government also allocated \$10,504 during the reporting period to the NGO Gender Equality Center for maintenance of its Mongolian hotline system for human trafficking victims. (11,24,32)

Research indicated that there was a lack of resources, including insufficient funding for law enforcement agencies, which resulted in insufficient training opportunities for criminal law enforcement officers. (5,11,12,23,24) Furthermore, reports indicate that among some police officers and government officials, there is a lack of understanding of the use of male children in commercial sexual exploitation as a result of human trafficking, as well as a general unfamiliarity with human trafficking-specific provisions of the criminal code. (11,16) As a result, many cases involving boys are not prosecuted under the human trafficking article of the Criminal Code, which carries harsher penalties, but are instead prosecuted under other offenses that carry lighter penalties. (11,16,59)

Furthermore, restrictions put in place during the pandemic, including in some cases the requirement for a negative COVID-19 test, made it difficult for human trafficking victims to access public and police services. This resulted in slowing the pace of human trafficking investigations. (24,57)

Research noted that complex case initiation and referral procedures, coupled with restrictions on contact between anti-trafficking police and prosecutors, at times hindered investigations and prosecutions. (11,12) NGOs also continued to express concern over a legal provision in the Criminal Code Article 6.12 ("Release from Imprisonment by Parole, Arranged Supervision"), which allows the early release of some incarcerated traffickers, arguing that such leniency could potentially contribute to continued instances of human trafficking. (11,31,39)

During the reporting period, research found no evidence that the government continued to arrest child trafficking victims as a result of having been subjected to human trafficking. Due to a lack of understanding of victim protection in relation to the Law on Petty Offenses, research found that police reportedly continued to detain child victims as a direct result of the unlawful acts they were forced to commit. (11,31,60) The National Police Agency reported that due to a misapplication of Article 6.18.4 in the Law on Petty Offenses, police erroneously fined two children for prostitution instead of referring them to the FCYDA. (12,24,31) Coupled with the lack of evidence collected by law enforcement to support investigations into human trafficking, some victims become hesitant to self-report or testify due to the fear that they may face prosecution for crimes they were forced to commit. (11,17,24,61)

Despite reports of alleged malfeasance among some Mongolian officials, including helping to facilitate sex trafficking in illicit establishments, research found no evidence that the government initiated any investigations into government officials complicit in the worst forms of child labor. (11)

During the reporting period, the government failed to publish criminal law enforcement data related to the worst forms of child labor, including whether trainings for new criminal investigators were conducted, whether refresher courses were offered, the number of violations, the number of convictions, and penalties imposed for violations. (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 efficacy in accomplishing mandates.

**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). (5,10,12) Established in 2018 and headed by the Prime Minister with the Minister of Labor and Social Protection as Deputy Head. (5,12) During the reporting period, the Prime Minister issued an order renewing the mandate of the Committee. (12) Also planned 11 activities and continued to draft amendments to the Criminal Code and the Law on Petty Offenses. (31)
National Anti-Trafficking Sub-Council	Mandate renewed in February 2021. Chaired by the Crime Prevention and Coordination Council. (32) Coordinates government efforts to combat human trafficking and monitors implementation of anti-trafficking legislation. (24,60) Functions as part of the Council on Crime Prevention under the Ministry of Justice and Home Affairs. (54) Has 24 members, including 22 government officials and 2 NGO representatives. (24,32) Coordinating body met during the reporting period. (12,24) In addition, agreed to work with prosecutors, police, and child protection officers to establish, provide support for, and maintain an operational Multi-Disciplinary Task Force focused on inter-agency coordination of the identification and protection of child trafficking victims, and the investigation and prosecution of child trafficking crimes. Had a budget of \$178,221 in 2020 and spent \$104,342 to implement the National Program on Combating Trafficking in Persons, with remaining funds used for pandemic prevention measures. (24)
Ministry of Justice and Home Affairs—Crime Prevention and Coordination Council	Coordinates working-level law enforcement efforts related to trafficking in persons. (24) Overseen by the Ministry of Justice and Home Affairs. Coordinating body was active during the reporting period. (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 implementation.

**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. (3,48) In an effort to advance the National Program on Child Development and Protection, FCYDA accredited 41 NGOs to assist in providing child protection services. (10) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period. (12)
Child Protection Compact Partnership (2020–2024)†	Launched October 2020. Joint partnership between the Governments of Mongolia and the United States. (12,24,59,61,62) A \$5 million grant to fight all forms of child trafficking led by World Vision. Works with Task Unit of Crime Prevention and Coordinating Council and National Sub-Council on Trafficking in Persons. (59,61-63) Objectives include expanding support for trafficking victim protection service shelters and victim-centered investigations and prosecutions; establishing a Multi-disciplinary Task Force aimed at improving inter-agency coordination on victim identification and investigation and prosecution of child trafficking crimes; improving interagency coordination; and expanding community knowledge and understanding of child trafficking, including risks and indicators of human trafficking. (12,59,61-63) Furthermore, intends to increase the number of law enforcement, prosecutorial, social welfare, mental health, and labor inspection personnel designated to prioritize child trafficking, and work collaboratively on victim-centered investigations and prosecutions of child trafficking cases. (24)
National Program on Combating Trafficking in Persons (2017–2021)	Designated lead for anti-trafficking efforts. Provides technical and professional guidance on the prevention of human trafficking. (11,23,24,60) Implemented and managed by the National Anti-Trafficking Sub-Council. (11,23,24) 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 by using the internationally recognized principles of the "Four Ps"—prevention, protection, prosecution, and partnership. (3,4,17,20,24,60) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period. (12)

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

Policy	Description
State Policy on Herders (2020–2024)	Describes the acceptable minimum conditions and criteria for employing children in herding. (64) Activities include projects to improve housing and access to information for herders, and to ensure that children engaged in herding receive an education. Each year, the government allocates 1 percent of its budget to implement the policy. (65) Policy was renewed during the reporting period. (12,31,66)
Three-Pillar Development Policy (2018–2020)	Called for improvements in education, health, social welfare, and labor policies through 2020. Priorities included the education, safety, and health of vulnerable children. (67) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period. (12)

†Policy was approved during the reporting period.

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2020, 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 funding of programs to address the full scope of the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Children's Money Program†	Program operated by the General Agency for Social Welfare and Service, General Agency for State Registration, and Human Development Fund. Distributes a monthly stipend to vulnerable children under age 18 and aims to prevent child labor by offsetting costs related to food, school, and clothing. (3,68) During the reporting period, the government included a five-fold increase from approximately \$8 per child in 2019 to approximately \$35 per child in 2020 to mitigate some of the economic impacts of the pandemic. (12,30,69) Money was distributed through direct deposit to all children in the country with allotments continuing until July 1, 2021. Since April 1, 2020, 1.25 million Mongolian children have been receiving money through the program. (31)
School Lunch Program†	Government-mandated program that subsidizes meals to encourage low-income children to attend school, particularly at the primary level. (28) During the reporting period, the program was halted due school closures during the pandemic, and remaining funds were allocated to provide emergency assistance, including food and supplies, to children of families in need. (12,31)

† 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. (21)

Research found that there is a shortage of long-term stay shelters, and most temporary shelters are not accessible to victims with disabilities. (3,5,10,11,23,24,30) Although Mongolia has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem. (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 Mongolia (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 in the informal sector and children who are self-employed.	2018 – 2020
	Ensure that all forms of forced labor are criminally prohibited.	2016 – 2020
	Ensure that laws clearly and comprehensively criminalize using children under age 18 for prostitution, and criminalize using, procuring, or offering all children under age 18 for the production of pornography and pornographic performances.	2014 – 2020
	Ensure that the law criminally prohibits the using, procuring, or offering of children under age 18 in the production and trafficking of drugs.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that laws adequately prohibit children under age 18 from horse racing at all times of the year.	2017 – 2020



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen the inspection system by permitting the General Agency for Specialized Inspections to conduct unannounced inspections, including in the informal sector, and empower the Criminal Police Department to close venues found to be complicit in the worst forms of child labor.	2013 – 2020
	Increase funding and resources for labor inspectors to conduct inspections.	2014 – 2020
	Conduct regular labor inspections and ensure that inspectors or other appropriate authorities are able to assess penalties—and extend liability beyond race organizers—for legal violations related to horse racing, including the participation of children in racing and race training during prohibited months.	2018 – 2020
	Provide sufficient training opportunities for labor inspectors and criminal law enforcement officials, including training on new laws related to the worst forms of child labor.	2018 – 2020
	Provide adequate funding for law enforcement agencies and ensure that procedural checklists used to identify human trafficking victims are used consistently.	2019 – 2020
	Provide trainings for police officers and government officials on criminal laws related to the worst forms of child labor to ensure that cases of commercial sexual exploitation—especially those involving boy victims—are prosecuted fully and under the appropriate articles of law, and close legal loopholes that permit the early release of convicted traffickers.	2011 – 2020
	Cease fining, arresting, detaining, or charging child trafficking victims with crimes and administrative offenses as a result of having been subjected to human trafficking.	2020
	Allow anti-trafficking police and prosecutors to work with each other, and ensure that evidence related to human trafficking cases is collected to support investigations.	2020
	Address malfeasance in all law enforcement agencies and investigate, prosecute, and convict government officials complicit in the worst forms of child labor.	2020
	Publish disaggregated criminal law enforcement data, including training for new and existing criminal law investigators, the number of violations, the number of convictions, and the number of imposed penalties for violations.	2017 – 2020
Government Policies	Publish activities undertaken during the reporting period to implement the National Program on Child Development and Protection, the National Program on Combating Trafficking in Persons, and the Three-Pillar Development Policy.	2020
Social Programs	Increase the number of schools to help eliminate overcrowding, increase the number of trained teachers, ensure that appropriate technology is available to all students, and provide an infrastructure to allow full accessibility options for children with disabilities.	2019 – 2020
	Ensure that the School Lunch Program is implemented once schools reopen for in-person learning.	2018 – 2020
	Increase the availability of long-term stay shelter homes.	2019 – 2020
	Ensure that all government-run, government-funded shelter homes are accessible to children with disabilities.	2019 – 2020
	Expand existing programs to address the scope of the child labor problem.	2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

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In 2020, Montenegro made moderate advancement in efforts to eliminate the worst forms of child labor. The government began enforcing the new Labor Law, which provides specific provisions for the conditions allowing a minor to work, and substantially increased the Labor Inspectorate's budget. In addition, the government opened a new shelter for victims of human trafficking and provided services to nine children, including seven children who were previously in forced begging situations. However, children in Montenegro are subjected to 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 and forced begging is insufficient.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Montenegro are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1-6) Table 1 provides key indicators on children's work and education in Montenegro. 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 (Unavailable)
Attending School (%)	5 to 14	91.6
Combining Work and School (%)	7 to 14	19.9
Primary Completion Rate (%)		94.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2020. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 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
Services	Street work, including vending small goods and begging (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation as a result of human trafficking (2,3,6-8)
	Forced begging, sometimes as a result of human trafficking (3)
	Domestic work, sometimes as a result of human trafficking (9-12)
	Use in illicit activities, including drug trafficking and harvesting (13,14)

‡ 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 trafficking of children for forced labor, including forced begging, especially among Roma children. (2,7,13) Some Roma girls from Montenegro are sold and forced into domestic servitude in both Montenegro and Kosovo. (2,10,11) Children, especially girls, are victims of trafficking for commercial sexual exploitation internally and transnationally within the region. (2,7)

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. (3,7,12,14) The

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higher rate of unregistered children is mostly due to parents' lack of awareness of the importance of registration, and parents' lack of identification documents. (15) In addition, some children with disabilities experience difficulty physically accessing educational facilities and have limited government social services available to them. (12,14)

## 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 (16)
Minimum Age for Hazardous Work	Yes	18	Articles 17, 172 and 173 of the Labor Law (16)
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 (16,17)
Prohibition of Forced Labor	Yes		Article 444 of the Criminal Code; Articles 28 and 63 of the Constitution (18,19)
Prohibition of Child Trafficking	Yes		Articles 444–446 of the Criminal Code (19)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 209–211 of the Criminal Code (19)
Prohibition of Using Children in Illicit Activities	Yes		Articles 300–301 of the Criminal Code (19)
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 and 163 of the Law on the Armed Forces (20,21)
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 and 163 of the Law on the Armed Forces (20,21)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 444 of the Criminal Code (19)
Compulsory Education Age	Yes	15	Article 4 of the Law on Primary Education (22)
Free Public Education	Yes		Article 75 of the Constitution (18)

\* No conscription (20)



The government's new Labor Law was adopted in late 2019 and entered into force January 2020. The new provisions of the law include specific guidance on work conditions for children under age 18, with particular consideration given in Article 22 to ensuring that children do not engage in labor that is potentially harmful to their health. (23) 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. (17,24) During the reporting period, the government continued to finalize a list of hazardous jobs for children in conjunction with the ILO. (23)

### 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 enforcement agencies that may hinder adequate enforcement of 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. (13,23-25) Part of the Inspectorate General. (26)
Ministry of Interior	Houses the Police Directorate and the Office for the Fight Against Trafficking in Humans (TIP Department). The Police Directorate investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (25) Coordinates law enforcement actions, including identification of victims of human trafficking. (23,25) Prevents and investigates child begging by removing child beggars from the streets through the Beggar Task Force. (7,8) The TIP Department coordinates efforts against human trafficking among relevant institutions and international organizations, harmonizes legislation, maintains data on human trafficking, and funds hotlines for victims of human trafficking. (25)
Supreme State Prosecutor	Investigates and enforces criminal laws on forced labor and human trafficking for commercial sexual exploitation. (23) Collects data on the number of police investigations, convictions, and court rulings, and submits them to the TIP Department. (23)
Ministry of Justice, Human, and Minority Rights	Enforces the Criminal Code by prosecuting crimes against children, including human trafficking, child begging, and child abuse. (23)
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, and funds programs for victim protection and the shelter for victims of human trafficking. (23)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Montenegro took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Social Welfare 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	2019	2020
Labor Inspectorate Funding	\$584,447 (3)	\$887,498 (23)
Number of Labor Inspectors	42 (3)	42 (23)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (23)
Initial Training for New Labor Inspectors	Yes (3)	Yes (23)
Training on New Laws Related to Child Labor	N/A (3)	Yes (23)
Refresher Courses Provided	Yes (3)	No (23)
Number of Labor Inspections Conducted	10,811 (3)	8,747 (23)
Number Conducted at Worksites	10,811 (3)	8,747 (23)
Number of Child Labor Violations Found	42 (3)	7 (23)
Number of Child Labor Violations for Which Penalties Were Imposed	7 (3)	0 (23)
Number of Child Labor Penalties Imposed that Were Collected	7 (3)	0 (23)
Routine Inspections Conducted	Yes (3)	Yes (23)
Routine Inspections Targeted	Yes (3)	Yes (23)

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

Overview of Labor Law Enforcement	2019	2020
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Yes (3)	Yes (23)
Complaint Mechanism Exists	Yes (3)	Yes (23)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (23)

The Labor Inspectorate has 15 offices that proactively plan labor inspections. (23) Below the chief inspector, there are 31 labor inspectors who cover employment relations and 10 inspectors who cover health safety issues at work. (23) All inspectors monitor the enforcement of child labor. In addition, the Labor Inspectorate maintains a national call center and an e-mail line for receiving complaints. (23,25) The government maintains a database on children involved in begging, but does not collect or publish data on the worst forms of child labor. (14) Labor inspectors can inspect registered farms, and Social Welfare Centers (SWCs) can inspect unregistered farms to detect child labor. (3,23) If child labor is found by SWCs, social workers cooperate with labor inspectors and criminal law enforcement to ensure that children receive proper support and protection from further exploitation. Labor inspections increase during the summer months (May 15 to September 3), particularly in the tourism sector throughout the coastal region. (23,27)

Children found during labor inspections can be sent to SWCs and accommodated in a government-financed, NGO-run shelter for human trafficking victims. (13,25,28) During the reporting period, there were no cases of children being removed during inspections. (23)

In April 2020, all inspectors received training on the new Labor Law, and in October 2020, seven new Labor Inspectorate employees participated in a training entitled “Strengthening early identification and referral of potential cases of human trafficking in Montenegro,” with a focus on increased multi-agency cooperation. (23) The Labor Inspectorate reported that funding was sufficient in 2020. While three child labor violations were found during the reporting period, no penalties were imposed. (23)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Montenegro 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 prosecution planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (23)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (23)
Refresher Courses Provided	Yes (3)	Yes (23)
Number of Investigations	66 (3)	5 (23)
Number of Violations Found	53 (3)	4 (23)
Number of Prosecutions Initiated	Unknown (3)	3 (23)
Number of Convictions	2 (3)	2 (29)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (3)	Yes (23)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (23)

An eight-member police unit within the Police Directorate investigates human trafficking and illegal migration throughout the country. (14) Two individuals were convicted in 2020 under Article 444 of the Criminal Code for human trafficking of an underage victim. In addition, ten children were removed from exploitative situations and referred to the shelter for victims of human trafficking. (23) Police investigate children working on the street, and those who are found begging or requiring social assistance can be accommodated in a public institution, called a *Ljubović*, for up to 30 days while efforts are undertaken to locate their parents. During the reporting period, 31 boys and 13 girls were accommodated in the *Ljubović* system. (3,29) The institution provides accommodation,

protection, education, and therapy for children found living on the streets. When parents are not available, children are referred to local SWCs for longer-term shelter and resources. (3,23) In 2020, police found that 133 minors were used in forced begging operations and 107 requests were submitted to initiate misdemeanor proceedings against parents under Article 37 of the Criminal Code. (29)

During the reporting period, the Office of the National Anti-Trafficking Coordinator (TIP Department) organized multiple training sessions on best practices in fighting human trafficking. Topics included strengthening early identification and referral of potential cases of human trafficking, multi-agency cooperation, and local-level awareness of human trafficking issues. (23,27) In addition, the TIP Department, the Institute for Social and Child Protection, and multiple other institutions jointly organized trainings for civil servants on the human trafficking provisions of the Montenegrin Criminal Code. The OSCE Ministry of Defense conducted a regional training for the Montenegrin team for the Team for Formal Identification of Victims of Trafficking, staff of the Centers for Social work, and police directorate representatives from multiple cities. (27,30)

#### 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 effective coordination of efforts to address child labor, including ensuring mechanisms remain active and achieve their mandates.

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

Coordinating Body	Role & Description
Office of the National Anti-Trafficking Coordinator (TIP Department)	Coordinates efforts, projects, and legislation against trafficking in persons and the worst forms of child labor among relevant government institutions and international organizations. (13,25) Collects and maintains data on investigations and court rulings. (3) Operates Trafficking in Persons working group to monitor and promote activities related to combating human trafficking, and assesses progress toward meeting objectives established in action plans. Includes representatives of seven government ministries (in addition to the Police Directorate, Supreme Court, Supreme State Prosecutors, and Inspectorate Authority), two NGOs, and multiple international organizations. (3,25,27) During the reporting period, the government adopted multiple documents prepared by the TIP Department, including statistics on results achieved as of July 2020 in the realm of combating trafficking in human beings and instructions to the Minister of the Interior on adopting standard operating procedures for the identification of victims of human trafficking. The TIP Department also facilitated a number of trainings on anti-trafficking in persons efforts across the country and provided information on the department's annual efforts. (27,30)
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 MLSW and has 12 other members, including 4 NGO members. (3) The Council did not meet during the reporting period. (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 Strategy for Combating Human Trafficking (2019–2024)	Outlines objectives for combating human trafficking by raising public awareness, strengthening the capacity for victim identification and services provision, improving inter-agency coordination, and raising the efficiency of prosecutions. (31-34) During the reporting period, the government continued to implement the strategy by drafting the 2021 Action Plan and associated activities, which are expected to be adopted by the end of March 2021. The government also established a coordination body consisting of representatives of the Ministry of the Interior, the Police Directorate, the Higher State Prosecutor's Office, and Ministry of Justice, Human, and Minority Rights. (23,30)
Strategy for Exercising the Rights of the Child in Montenegro (2019–2023)	Seeks to enhance the ability of children to exercise their rights by improving the application of laws related to children; supporting vulnerable children, including those with disabilities; and improving protections for violence against children, including from child trafficking, child prostitution, child pornography, and involvement in armed conflicts. A working group will produce an annual report detailing the steps it has taken toward achieving the plan's goals. (35) During the reporting period, implementation of work for the Strategy continued with some disruptions due to the formation of the new national government; a mid-term report is planned for 2021. (23)

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

Policy	Description
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. (1,36) During the reporting period, the government provided additional financial assistance to socially disadvantaged families. (29)
Strategy for the Social Inclusion of Roma and Egyptians (2016–2020)	Aimed to create social inclusion of Roma and Egyptians by increasing school attendance and birth registration while preventing child begging and human trafficking. Implemented by the Ministry for Minority and Human Rights. (37,38) In March 2020, the government and civil society organizations launched the “Children are Children” campaign, which sought to raise awareness of forced marriage and its negative effects on children’s rights. Additionally, during the reporting period, a new working group was formed to develop a new strategy and met three times during the reporting period. (23)
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. (13,39) Includes providing care and services for child victims or those at risk of violence. Aims to improve protections for children in the country by 2021. (39) During the reporting period, the government launched an SOS Hotline for children at risk of abuse. (29)

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

The government has not included child labor elimination and prevention strategies in the Strategy for Prevention and Protection of Children from Violence. (36)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (10,14,40) In July 2020, UNICEF published a report including the methodology, data, and associated statistical snapshots of the “Montenegro Multiple Indicators Cluster Survey (MICS) 2018” and the “Montenegro Roma Settlements MICS.” (23)
Development of Standard Operating Procedures for the Treatment of Children Deprived of Parents or Unaccompanied	Implemented by the Ministry of Interior’s TIP Department and UNICEF. (8) Goals include standardizing procedures among all relevant institutions for dealing with unaccompanied children and children separated from parents, and ensuring compliance with both international and national laws for children. (42) Includes procedures on identifying, accommodating, and integrating these children. (42) The Standard Operating Procedures (SOPs) were utilized during the reporting period, and a guide on implementation of the SOPs was distributed to municipal officials and border authorities. In addition, workshops were held to educate approximately 200 law enforcement officials on the new SOPs. (29)
Hotline for Victims of Human Trafficking†	SOS Hotline funded by the TIP Department and run by the NGO Montenegrin Women’s Lobby. Provides advice, connects victims with service providers, and raises public awareness. (31) During the reporting period, the TIP hotline received 1,657 calls. (27)
Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor	Multi-year project with support from USDOL, implemented by the ILO. Aims to create an improved knowledge base on child labor. (41) Specific goals of the program include: improving application of knowledge in support of efforts to eliminate child labor; strengthening the policymaking process; improving the capacity of the government, national authorities, employers, workers’ organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combating child labor. (41) Additional information may be found on the USDOL’s <a href="#">website</a> .

† 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. (7,43,44)

During the reporting period, the government opened a new shelter for victims of human trafficking. The shelter received \$48,544 in funding and provided services to nine children, including seven children who were previously in forced begging situations. (23) Research indicates that the funding provided for shelter operations was insufficient, and provision of services to individuals with disabilities who are victims of human trafficking remains limited. (7,23)

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. (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 Montenegro (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that labor and criminal law enforcement entities impose appropriate penalties for child labor violations.	2019 – 2020
	Consistently track and publish information about children involved in the worst forms of child labor.	2017 – 2020
	Increase the number of prosecutions and convictions of perpetrators involved in commercial sexual exploitation.	2017 – 2020
	Ensure that labor inspectors are provided with refresher courses.	2020
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020
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 – 2020
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
Social Programs	Build the capacity of schools and other services and programs to accommodate and provide support for children with disabilities.	2015 – 2020
	Increase funding for human trafficking shelters, including for individuals with disabilities who are victims of human trafficking.	2018 – 2020
	Expand existing programs to address the scope of the child labor problem, especially in street work and forced begging.	2018 – 2020
	Make additional efforts to register children from the Ashkali, Balkan Egyptian, and Roma communities.	2019 – 2020
	Publish activities undertaken to implement key social programs to address child labor during the reporting period.	2020

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Although research found no evidence that child labor exists in Montserrat, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. 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 recruitment of children by non-state armed groups or the use of children in illicit activities.

### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Montserrat. (1,2) Table I provides one key indicator on children's education in Montserrat. Data on key indicators on children's work are not available from the sources used in this report.

**Table I. Statistics on Children's Work and Education**




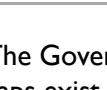
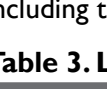

Children	Age	Percent
Primary Completion Rate (%)		96.8

Source for primary completion rate: Data from 2019 published by UNESCO Institute for Statistics, 2021. (3)  
All other data were unavailable from International Labor Organization's analysis, 2021. (4)

### 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. (5) Domestic UK law does not generally apply unless explicitly extended to Montserrat. (5) 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. (5) No key international conventions concerning child labor have been accepted by 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 framework to adequately protect children from the worst forms of child labor, including the lack of criminal penalties for the use of children in illicit activities.

**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 (6)
Minimum Age for Hazardous Work	Yes	18	Parts 9–10 of the Labor Code (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part 9 of the Labor Code (6)

# Montserrat

## NO ADVANCEMENT

**Table 3. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Part VIII-A, Sections 138A and 202D of the Penal Code; Schedule II, No. 55 of the Constitution Order (7,8)
Prohibition of Child Trafficking	Yes		Part VIII-A, Sections 138A–D, and Part XIV-A of the Penal Code (7)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Part VIII-A, Sections 138A–B of the Penal Code (7)
Prohibition of Using Children in Illicit Activities	No		Articles 3 and 96(8) of the Labor 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	No		Articles 3 and 96(8) of the Labor Code (6)
Compulsory Education Age	Yes	16	Chapter II, Part 3 of the Education Act (9)
Free Public Education	Yes		Chapter II, Part I of the Education Act (9)

\* No conscription (10)

Children under age 18 may not be employed at night or in occupations designated as hazardous. (6) The Labor Code allows children as young as 14 to engage in light work, but Montserrat does not have a list of activities which constitute light work, does not specify the conditions in which light work may be undertaken, or limit the number of hours for light work. (6) The Minister of Labor for Montserrat is responsible for deciding what constitutes hazardous work, but Montserrat has not determined by national law or regulation the types of hazardous work prohibited for children. (2,6) In addition, the law does not criminally prohibit the use of children in illicit activities, or the recruitment of children by non-state armed groups. (2,6,10)

### 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. However, gaps exist within the framework of enforcement agencies that may hinder adequate enforcement of their child 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 under the Labor Commissioner. (11)
Royal Montserrat Police Service	Enforces laws of Montserrat, including child labor laws. (12)
Department of Social Services	Employs social workers to work on child protection issues. (13)

Although there are laws prohibiting child labor, labor inspectors have no authority to conduct unannounced inspections or to assess penalties for child labor violations. When a report is made of any form of abuse involving a child victim, the Department of Social Services conducts an initial social inquiry to attempt to verify the allegation and then works with police to coordinate a response. (2)

#### **Labor Law Enforcement**

Within the Montserrat Department of Labor, the Labor Officer and Labor Inspector are government employees responsible for conducting labor inspections in accordance with the Labor Code. Labor inspectors have no authority to assess penalties for child labor violations and unannounced inspections are not permitted. (2)

### 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	Ratify international conventions on child labor.	2020
	Ensure that the law specifies the types of light work acceptable for children as young as 14 as well as permitted working conditions and hours.	2020
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2017 – 2020
	Establish laws to prohibit the use of children in illicit activities.	2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Ensure that the labor inspectorate can assess penalties for child labor and that unannounced inspections are permitted.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2019 – 2020

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In 2020, Morocco made moderate advancement in efforts to eliminate the worst forms of child labor. The government enacted programs to pilot a child protection network and assess the feasibility of 10 additional child welfare centers. In addition, the Ministry of Labor and Vocational Integration launched a new roadmap for fighting child labor that seeks to: improve the Domestic Work Law 19.12 and make benefits available from the National Social Security Fund to child domestic workers; improve labor inspection at the 54 designated centers across the country by hiring specialists to enhance the oversight of inspections and the methodology behind interventions; strengthen partnerships with civil society organizations; and increase international cooperation on child labor. Morocco also became a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. However, children in Morocco are subjected to the worst forms of child labor, including forced domestic work, sometimes as a result of human trafficking. Children also engage in child labor in producing artisanal handicrafts. 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. Furthermore, 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 are subjected to the worst forms of child labor, including forced domestic work, sometimes as a result of human trafficking. Children also engage in child labor in producing artisanal handicrafts. (1-3) Government statistics from 2020 showed 34,000 children under the age of 15 are 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. (2,4,5) 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 (%)		97.1

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from *Enquête sur la Population et la Santé Familiale (DHS), 2003–2004*. (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 unknown (2,8)
	Fishing (2,8)
	Forestry, activities unknown (1,2,9,10)
Industry	Construction, including in carpentry† (1-3,11)
	Textiles (3,12)
	Producing artisanal crafts (1,2,13)
Services	Metallurgy, including welding (1)
	Begging (3,14)
	Domestic work (2,8,9,15,16)
Categorical Worst Forms of Child Labor‡	Maintenance and repair of motor vehicles (3,12)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,15,17,18)
	Forced domestic work, sometimes as a result of human trafficking (1,3,12,16,18,19)
	Forced begging as a result of human trafficking (1,3,15,18)
	Illegal sand extraction (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.



# Morocco

## MODERATE ADVANCEMENT




Rural Moroccan girls, some as young as age 6, are recruited for domestic work in private urban homes, a practice known locally as *petites bonnes*. Unaccompanied minors from Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Nigeria, and Senegal are trafficked to Morocco for this same purpose. (14,19,21) Some of these girls are subjected to physical and verbal abuse, excessive working hours, and denied access to educational opportunities by their employers. (14,16,19,21) Furthermore, some employers confiscate the identity papers of child domestic workers. (19,21) In addition, exploitation in domestic work makes children vulnerable to child sex trafficking in Morocco, neighboring countries such as Spain, and the Persian Gulf. (22)

Children in Morocco, particularly in rural areas, face barriers to education, including the cost of school materials, poor facilities, and insufficiently qualified teachers. (2) Moreover, some children must reside in boarding houses to attend school because the commute is too far. Some families are reluctant to allow children—particularly girls—to make the daily journey for fear of exposure to risks associated with traveling to school. (2) Other barriers to education include the lack of free and safe transportation, and fees associated with preschool and after-school activities. In addition, some children who lack documentation are unable to enroll in school. (2)

## 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 of 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 (23)
Minimum Age for Hazardous Work	Yes	18	Article 147 of the Labor Code (23)
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 (23,24)
Prohibition of Forced Labor	No		Articles 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (23,25)
Prohibition of Child Trafficking	Yes		Articles 448.1, 448.4–448.5 of the Law on Trafficking in Human Beings (26)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 503-2 of the Penal Code (25)
Prohibition of Using Children in Illicit Activities	No		Article 467-2 of the Penal Code (25)
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 4 of Royal Decree of 9 June 1966 (27)

**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 4 of Law No. 44-18 (28)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (26)
Compulsory Education Age	Yes	15	Article I of Law No. 04-00 (29)
Free Public Education	Yes		Article I of Law No. 04-00 (29)

The labor law does not apply to children who work in the traditional artisan or handicraft sectors for family businesses with fewer than five employees. (23)

The types of hazardous work prohibited for children do not cover domestic work, in which there is evidence that girls are exposed to physical and psychological abuse and are working for long hours, during the night, and are unreasonably confined to the premises of the employer. (24) The Penal Code only criminalizes the forced labor of children under 15 years old. (25) Moroccan law does not prohibit the use, procuring, or offering of children for the production or trafficking of drugs. (26,31,34)

### 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 enforcement agencies that may hinder adequate enforcement of 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 with its 54 inspection offices throughout the country. (2) During the reporting period, MOLVI launched a new roadmap for fighting child labor that seeks to: improve the Domestic Work Law 19.12 and make benefits available from the National Social Security Fund to child domestic workers; improve labor inspection at the 54 designated centers across the country by hiring specialists to enhance the oversight of inspections and the methodology behind interventions; strengthen partnerships with civil society organizations; and increase international cooperation on child labor. (2)
Ministry of the Interior	Enforces prohibitions on trafficking in persons, prostitution, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (2,15,18,30)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children in the court system. (2,18,30,35) Serves independently as a judiciary body separate from the Ministry of Justice. (2)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Morocco took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor and Vocational Integration (MOLVI) 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	2019	2020
Labor Inspectorate Funding	Unknown (36)	Unknown (2)
Number of Labor Inspectors	317 (36)	282 (2)
Inspectorate Authorized to Assess Penalties	Yes (36)	Yes (2)
Initial Training for New Labor Inspectors	Yes (36)	Yes (2)
Training on New Laws Related to Child Labor	Yes (36)	Yes (2)
Refresher Courses Provided	Yes (36)	Yes (2)

# Morocco

## MODERATE ADVANCEMENT

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

Overview of Labor Law Enforcement	2019	2020
Number of Labor Inspections Conducted	24,383 <sup>†</sup> (36)	19,302 <sup>‡</sup> (2)
Number Conducted at Worksite	24,383 <sup>†</sup> (36)	19,302 <sup>‡</sup> (2)
Number of Child Labor Violations Found	160 (36)	56 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (36)	0 (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (36)	0 (2)
Routine Inspections Conducted	Yes (36)	Yes (2)
Routine Inspections Targeted	Yes (36)	Yes (2)
Unannounced Inspections Permitted	Yes (36)	Yes (2)
Unannounced Inspections Conducted	Yes (36)	Yes (2)
Complaint Mechanism Exists	Yes (36)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (36)	Yes (2)

<sup>†</sup> Data are from January 1, 2019 to September 30, 2019. (36)

<sup>‡</sup> Data are from January 1, 2020 to September 30, 2020. (2)

Labor inspectors take note of labor code infractions and refer violations to the public prosecutor's office. (2) In 2020, the government provided specialized training to 22 new inspectors hired in 2019. (2) In addition to labor inspectors, the government reported an additional 129 agricultural inspectors who may refer cases of child labor in agriculture. (2) However, government officials report that funding for the labor inspectorate is insufficient and prevents the inspectorate from fully discharging its duties. (2) Although Morocco employs 282 labor inspectors, the number of labor inspectors is likely insufficient for the size of Morocco's workforce, which includes more than 10 million workers. (38) According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Morocco would employ about 666 inspectors. (38,39)

In 2020, 159 children under the age of 15, and 464 children between the ages of 15 and 18, were removed from worksites considered dangerous by inspectors. (2) However, 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. Additionally, the penalties for employing children in hazardous work are insufficient to act as a deterrent. (2,36,40,41) Despite regulations to inform agencies on implementing the Law on Setting Up Employment Conditions of Domestic Workers in 2016, there remain enforcement issues, such as the lack of inspection of closed private residences, in which many child domestic workers are employed. (30–32)

### **Criminal Law Enforcement**

In 2020, 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 the publication of criminal law enforcement data.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (36)	Yes (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (36)	N/A (2)
Refresher Courses Provided	Yes (36)	Yes (2)
Number of Investigations	154 (36)	Unknown (2)
Number of Violations Found	Unknown (32)	Unknown (2)
Number of Prosecutions Initiated	170 (36)	22 (2)
Number of Convictions	176 (36)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (36)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (36)	Yes (2)

Criminal authorities refer victims to appropriate social services through coordination with NGOs and with the government's 54 dedicated child labor points of contact. (30,36) In 2020, the General Directorate of National Security carried out a 30-hour training session at the national police headquarters on protecting children's rights, including psychological aid to children, investigations and forensics related to child victims, and legal ways to prevent violence against children. (2)

The government did not provide information on the number of investigations, violations found, or number of convictions. (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
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. (2,34) The committee met regularly in 2020. (2)
Inter-Ministerial Committee for Combating Trafficking in Persons	Coordinates the government's approach to trafficking in persons on an inter-ministerial level. Conducts training sessions for members of the security services. (3) Chaired by the Head of the Government of Morocco and led by the Ministry of Justice, with representation from civil society. (2) Established in May 2019. (2,3,42)

#### 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
Ministry of Solidarity, Social Development, Equality and the Family Integrated Public Policy on the Protection of Children in Morocco	Promotes an interdisciplinary approach to respond to the exploitation of children and other issues. (1,9,15,43,44) In 2020, the government enacted programs to pilot a child protection network and assess the feasibility of 10 additional child welfare centers. (2)

In 2020, Morocco became a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (2)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Social Cohesion Support Fund†	Programs that aim to improve access to education. Includes the Ministry of Solidarity, Social Development, Equality and the Family (MSWFSD)-funded Tayssir Conditional Cash Transfer Program that provides direct cash transfers to qualifying families whose children meet school attendance criteria. In 2020, over two million students from low-income families were participants in the Tayssir program. (2) In addition, in 2020, 13,221 children with disabilities received education assistance. (2)
Government-Funded Shelters and Centers†	MSWFSD's <i>Entraide Nationale</i> agency manages three types of shelter and support centers—Child Protection Units, Social Assistance Centers, and Orientation and Accompaniment Centers for People with Disabilities—to provide services to child victims of violence, street children, migrant children and refugees, and those with disabilities. (31,32,35,36,45,46) Other types of shelters and service centers include student dormitories and training and integration programs for vulnerable children. (31,32,35,45) Research was unable to determine what actions were taken by these centers during the reporting period.

# Morocco

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

Program	Description
Government-Funded Project†	Projects that aim to assist vulnerable children. Include: After-School Program for a Second Chance, which provides students with after-school educational assistance as part of non-formal education program; Mouwakaba, a MSWFSD-funded project that assists nearly 2,700 at-risk youth in 6 cities with vocational training; and "Cities without Street Children," which provides assistance to homeless children in Casablanca and Méknès. Active in 2020. (2)
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. In Morocco, \$362,500 was allocated for activities to support the enforcement of the 2016 Law on Setting Up Employment Conditions of Domestic Workers, which protects children from hazardous domestic work. (2,47) In January and February of 2020, the government conducted a training session for 36 partner Civil Society Organizations (CSOs) and 77 participants on combating child domestic labor. (2) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (1,2,45)

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. (9,31,35,36)

## 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 Morocco (Table 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children age 15 and under are protected by law, including children who work for artisan and handicraft businesses that regularly employ hired workers or produce goods for non-local consumption.	2009 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and includes domestic work, in which physical and emotional abuse is known to occur.	2016 – 2020
	Criminalize the use, procuring, and offering of children for the production and trafficking of drugs.	2015 – 2020
	Ensure that forced labor of children over age 15 is criminalized.	2019 – 2020
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for prostitution.	2019 – 2020
Enforcement	Ensure that inspectors inspect in all sectors in which children work, including households.	2017 – 2020
	Increase the number of labor inspectors responsible for enforcing laws related to child labor to meet the ILO's technical advice and ensure that they have sufficient resources.	2012 – 2020
	Publish information on labor law enforcement efforts, including the amount of labor inspectorate funding, penalties imposed, and penalties collected.	2015 – 2020
	Reduce administrative burdens and streamline child labor enforcement procedures among government agencies.	2013 – 2020
	Increase penalties for employers who use children in hazardous work to be an effective deterrent.	2012 – 2020
	Publish information on criminal enforcement efforts, including the number of investigations, violations found, and number of convictions.	2012 – 2020
Social Programs	Ensure programs address barriers to education such as safety in schools, transportation, the cost of school supplies, and lack of documentation.	2013 – 2020
	Expand existing programs to address the full scope of the child labor problem, including in forced domestic work.	2013 – 2020
	Collect and publish information, including microdata from the 2017 survey, on the extent and nature of child labor to inform policies and programs, including in agriculture, industry, and services.	2016 – 2020



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In 2020, Mozambique made moderate advancement in efforts to eliminate the worst forms of child labor. The government passed a new 2020–2024 Five Year Plan, which emphasizes eliminating child labor, and published the number of labor inspectors for the first time since 2017. The government also enacted a new Penal Code, which includes prohibitions on human trafficking, child prostitution, and the use of children in pornography. In addition, Provincial and District National Reference Groups were trained on human trafficking laws, the identification and protection of victims, prevention of unsafe child migration and on how to report cases of human trafficking. However, children in Mozambique are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also engage in dangerous tasks in the production of tobacco. In addition, the established minimum age for work is not in compliance with international labor standards because it does not extend to informal employment. Lastly, existing programs are insufficient to fully address the extent of the child labor problem in Mozambique.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Mozambique are subjected to the worst forms of child labor, including in forced domestic work. (1) Children also engage in dangerous tasks in the production of tobacco. (2) Table 1 provides key indicators on children's work and education in Mozambique.

**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 (%)		54.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 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	Production of coconuts, cotton,† sugarcane,† tea, tobacco,† and tomatoes (2,5)
	Fishing,† including preparing nets (2,6,7)
	Forestry,† activities unknown (2,6)
	Herding livestock, including cattle (2)
	Hunting, including small and wild animals (2,5)
Industry	Mining,† including gold and gemstones† (2,6,8,9)
	Construction,† including breaking stone† (2,6)
Services	Domestic work,† including childcare† (2,6,9)
	Street work, including car washing† and street vending (2,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including prostitution, each sometimes as a result of human trafficking (1,2,6,11)
	Forced labor in agriculture, domestic work, mining, and vending, each sometimes as a result of human trafficking (1)
	Use in illicit activities, including drug trafficking, stealing, and assisting poachers in the illegal poaching industry (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.

# Mozambique

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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. Research indicates that Mozambican children are also trafficked to South Africa for forced labor in agriculture, mining, and street vending. (1,6,12) Research found that children in larger cities and along transit corridors are at risk of commercial sexual exploitation. During the reporting period the government did not publish any new data on child labor or the worst forms of child labor. (6) Research indicates that a U.S.-designated terrorist group in northern Mozambique used children as soldiers, cooks, and laborers. (7,13)

Although primary education is free through grade nine, families must provide school supplies and uniforms. (6,14) Barriers to education for children include lack of schools, classroom space, and trained teachers. Many students, particularly in rural areas, also face difficulties traveling long distances to get to school. (15,16) In addition, physical and sexual abuse is common in schools. Research found that some male teachers coerce female students into sex. (17) The government estimates that only 49 percent of children complete their primary education. A state of emergency was declared in March due to the COVID-19 pandemic, resulting in the suspension of in-person learning and a shift to online learning, creating barriers for many children due to a lack of access to electricity, computers, or the Internet. (6,7) In-person instruction resumed in November in stages, with older students returning in the initial phase. (6) In 2020, more than 500,000 people were displaced due to increased terrorist-related violence in Cabo Delgado Province, further increasing education access barriers for some children due to a lack of schools in displaced communities. (6,7) Research indicates that, as a result of terrorist attacks, at least 626 schools have been destroyed in the province. (7)

## 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 (18,19)
Minimum Age for Hazardous Work	Yes	18	Article 23 of the Labor Law (19)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes	18	Hazardous Work List (20)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law; Articles 196 and 198 of the Penal Code (21,22)
Prohibition of Child Trafficking	Yes		Articles 5 and 10–11 of the Trafficking in Persons Law (21)
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 (21,22)
Prohibition of Using Children in Illicit Activities	Yes		Articles 33 and 40 of the Law on Drugs (23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2 and 23 of the Law on Military Service (24)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the Law on Military Service (24)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 5 and 10 of the Trafficking in Persons Law (21)
Compulsory Education Age	Yes	15‡	Article 41 of the Law of Basic Child Protection; Article 7 of the Law on the National System of Education (25,26)
Free Public Education	Yes		Article 41 of the Law of Basic Child Protection; Article 7 of the Law on the National System of Education (25,26)

‡ Age calculated based on available information (25,26)

In 2020, the government enacted a new Penal Code (Law n. 24/2019), which includes prohibitions on child trafficking for the purposes of prostitution, use in pornography, and forced labor. (6,12,27) The new Penal Code also prohibits the exploitation of minors for prostitution and pornography, carrying heavier penalties for equivalent crimes involving adults. (12) The government continued to work with an international organization to review draft amendments to bring the 2008 anti-trafficking law in line with international standards. However, draft amendments were awaiting approval by various stakeholders for the second consecutive reporting period. (7) The updated legislation is expected to be considered by the Parliament in 2021. (12)

The Regulations on Domestic Work allow children ages 12 to 15 to perform domestic work with the permission of their legal guardian. (18) The Labor Law also states that children ages 12 to 15 may work under certain conditions defined by the Council of Ministers. (19) The minimum age of 12 for light work is not in compliance with international standards. (28,29) The government continues to accept public comments on a revision (drafted in 2018) to the country's Labor Law that would eliminate the exception for children as young as 12 to work, and which would raise the minimum working age to 15. (6,7,30,31)

The Labor Law's minimum age protections do not apply to children working outside of formal employment relationships. The Ministry of Labor, Employment, and Social Security (MITESS), in collaboration with civil society, has reportedly developed new regulations to protect children working in the informal sector; however, the government has not reported on the implementation of these regulations. (19,26,29,32)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Employment, and Social Security (MITESS)	Enforces child labor laws and regulations. The labor inspectorate works with the National Police Force to enforce criminal law. (6,14) Monitors implementation of the National Action Plan to Combat the Worst Forms of Child Labor. (6,14,33)
Ministry of Industry and Trade's General Inspectorate of Economic Activities	Enforces child labor laws and regulations related to business activities. (6,14)
National Police Force	Enforces all criminal laws, including those related to the worst forms of child labor. Through its seven-person National Criminal Investigation Service, located within the Ministry of the Interior, investigates and refers cases of human trafficking and violence against women and children to the Attorney General's Office. (6,14)
Attorney General's Office	Coordinates the government's efforts against human trafficking and child labor. (6,14)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Mozambique took actions to combat child labor (Table 6). However, gaps exist within the operations of MITESS that may hinder adequate labor law enforcement, including a lack of financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	Unknown (6)
Number of Labor Inspectors	Unknown	117 (6)
Inspectorate Authorized to Assess Penalties	Yes (14)	Yes (19)
Initial Training for New Labor Inspectors	Yes (14)	Yes (6)
Training on New Laws Related to Child Labor	Yes (14)	Yes (6)
Refresher Courses Provided	Yes (14)	Yes (6)
Number of Labor Inspections Conducted	Unknown	6,126 (6)
Number Conducted at Worksite	Unknown	Unknown (6)
Number of Child Labor Violations Found	Unknown	Unknown (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (6)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (6)
Routine Inspections Conducted	Yes (14)	Yes (6)
Routine Inspections Targeted	Unknown	Unknown (6)
Unannounced Inspections Permitted	Yes (14)	Yes (19)
Unannounced Inspections Conducted	Yes (14)	Yes (6)
Complaint Mechanism Exists	Yes (14)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (6)

During the reporting period, Mozambique had 117 labor inspectors, a figure that had not been reported since 2017. MITESS conducted child labor training for 40 of its labor inspectors during the reporting period. (6) Research indicates that the number of labor inspectors is likely insufficient for the size of Mozambique's workforce, which includes approximately 13 million workers. (14,34) 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. (34,35) Limited financial resources and limited resources such as fuel and vehicles may also hamper the labor inspectorate's ability to enforce child labor laws. (6,14) MITESS indicated that it conducted 6,126 inspections, discovered 9,141 labor violations and issued 1,931 corresponding fines and 7,210 warnings. The Ministry did not specify how many of these violations and fines were related to child labor infractions, and did not publish funding information. (6)

MITESS 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. (6) The government provided training for labor inspectors and social services providers regarding the increased risks of the pandemic on child labor. It provided training for the Child Help Line workers regarding the pandemic to enable them to provide better service and assistance to callers. (6) It also supported child labor and exploitation training for employers, and provided training for local community leaders on combating the worst forms of child labor. (6)

### **Criminal Law Enforcement**

In 2020, 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 the absence of published criminal data related to child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (14)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (14)	Yes (6)
Refresher Courses Provided	Yes (14)	Yes (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 (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (14)	Yes (14)

In 2020, in support of the National Action Plan to Combat the Worst Forms of Child Labor, the government conducted training for judges, prosecutors, police officers, criminal investigators, labor inspectors, NGO partners, and community leaders on the country's children rights legal framework, provided COVID-19 training to the Child Help Line, conducted outreach on World Day Against Child Labor, and produced and distributed 8,000 posters to demonstrate the dangers of child labor. The government conducted several awareness campaigns about the dangers of online recruitment, which could result in children being trafficked. (12) The government did not publish data on criminal law enforcement efforts. (6)

Criminal law enforcement officials work with MGCAS and the National Reference Group for the Protection of Children and Combating Trafficking in Persons to coordinate referrals of children to social services providers. (14) Furthermore, MGCAS has a standard operating procedure (SOP) 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. (28)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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

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**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	Supports efforts to prevent human trafficking, and is the main coordinating body for combating trafficking in persons (TIP). The National Reference Group, led by the Attorney General, in partnership with local leaders and NGO stakeholders, hold regular meetings to discuss child labor issues. (6, 12, 36) Provincial-level groups coordinate regional efforts to combat human trafficking. (1) During the reporting period, the government conducted or engaged in a variety of in-person activities that provided training to front-line responders and law enforcement officials. IOM reported that the number of participants in the trainings it co-led with the government were reduced due to pandemic prevention measures. (7, 12) In partnership with international organizations, the government trained provincial and district reference groups, including at least 250 officials throughout Cabo Delgado, Manica, Nampula, Sofala, and Zambezia provinces, on the anti-trafficking legal framework, victim identification, and investigation skills. At least four trainings focused on child protection or the legal framework of child trafficking. (7) Other training focused on standard operating procedures to improve identification of TIP during pandemics, natural disasters, and armed conflicts; the legal framework for human trafficking; TIP database; and the differences between human trafficking and smuggling. (7)
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 (MGCAS). (6) Research indicates that while the National Commission on Children's Rights was active during the reporting period, research could not find activities that occurred. (7)
Ministry of the Interior's Women and Children's Victim Assistance Units	Provide services to children who have been victims of crimes, including human trafficking. Implement a government-funded program that includes 22 victim assistance units, which provide temporary shelter, food, limited counseling, and monitoring following reintegration, and operate countrywide through facilities in more than 215 police stations. (1) The Ministry of the Interior's Women and Children's Victim Assistance Units were active and provided capacity building training during the reporting period. (7)
Ministry of Gender, Children, and Social Action (MGCAS)	The Ministry is part of the government's efforts to implement the National Action Plan for the Fight Against the Worst Forms of Child Labor. (6) Operates three shelters that provide support and reintegration services for human trafficking victims, including to victims of child trafficking. (32) Research indicates that while MGCAS was active during the reporting period, research could not find activities that occurred. (7)

During the reporting period, the government cooperated with UNICEF and IOM to update the SOPs for the provincial and district reference groups. The updated SOPs focused on improving service delivery and support for repatriated and reintegrated child trafficking victims, which will also improve case monitoring. (12) The Council of Ministers monitors the government's coordination efforts in addressing child labor, and each ministry has a designated point of contact for child issues. (7) Research did not find a coordination mechanism dedicated to addressing child labor beyond the scope of human trafficking.

## 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 to Combat the Worst Forms of Child Labor (2017–2022)	Aims to map 70 percent of occurrences of the worst forms of child labor by province and activity, and to withdraw 20,000 children from the worst forms of child labor and enroll them in the Basic Social Subsidy program. (33) Mandates the coordination of several key government agencies, including the Attorney General's Office and the Office for Assistance to Families and Children Victims of Violence in the Ministry of Gender, Children and Social Action, among others. The National Action Plan also created a multi-sector group comprising representatives from the government, civil society, unions, and employers in the formal and informal sectors to collaborate on issues identified in the plan. (6) In order to implement the National Action Plan to Combat the Worst Forms of Child Labor during the reporting period, the government conducted training on the children rights legal framework, provided COVID-19 training to the Child Help Line, conducted outreach, and produced and distributed posters to demonstrate the dangers of child labor. (7)
2020–2024 Five Year Plan†	The government's recurring five-year plan, which includes goals to implement the policies related to child labor. Under Priority One and Strategic Objective Four, the Plan stresses "preventing and combating violence against children, including sexual abuse, forced marriages, kidnappings, and the trafficking and exploitation of child labor." (6, 37)

† 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. (39)

While a National Action Plan to Combat Trafficking in Persons was drafted in 2019, it has not yet been approved. (7, 12) The current National Action Plan for the Fight against the Worst Forms of Child Labor addresses geographic regions of concern (Tete, Manica, Maputo Province, and Maputo City), underlying reasons for child labor, and principal forms of child labor (mining, domestic employment, agricultural). (6)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. Aims to improve secondary school attendance and reach more than 3.3 million direct program participants by 2024. (40,41) Research was unable to determine whether activities were undertaken to implement the Basic Social Subsidy Program during the reporting period.
Programs for Street Children‡	Government and civil society organizations operate 176 shelters that provide education, occupational training activities, and health and psychosocial care for street children. (42) Research was unable to determine whether activities were undertaken to implement the Programs for Street Children during the reporting period.
Child Talk Line (Linha Fala Criança)	An 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. (6) During the reporting year, the line received 141,188 complaints, of which 43 were potentially related to child labor, and referred them to appropriate service providers. (7) During the reporting year, the Child Talk Line established an office in Manica Province in central Mozambique, expanding its ability to follow up on cases outside of Maputo and to better respond to callers in local languages in the central provinces. (6)
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 (ECLTG) focusing on education, awareness raising, institutional capacity building, and revision of the government's legal framework. Incorporates training for law enforcement officials. (43-45) During the reporting period, MITESS partnered with ECLTG to produce and disseminate educational materials to at-risk communities regarding preventing child labor and to conduct train-the-trainers and local-leaders training. (6)
Internet Watch Foundation Website	Internet portal, established by the government, in collaboration with Internet Watch Foundation, which receives anonymous reports on suspected cases of online commercial sexual exploitation of children, including in the production of pornography. (46-48) Research indicates that while the Internet Watch Foundation Website for Mozambique was active during the reporting period, research could not find activities that occurred. (7)

† 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. (49)

The government coordinated and facilitated a media outreach campaign to commemorate World Day Against Child Labor through the radio and television during the reporting period. (6) Although a draft report on the analysis of national child labor data from the Integrated Household Survey was completed in 2017, the government has yet to publish the study's findings. (50) In addition, research found no evidence that the government has carried out programs to assist children engaged in domestic work, and 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 Mozambique (Table 11).

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**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 – 2020
	Ensure that the minimum age for light work is in compliance with international labor standards.	2018 – 2020
Enforcement	Publish all data on labor law enforcement efforts, including the labor inspectorate's funding, number and type of labor inspections conducted, child labor violations found, and number of child labor penalties imposed and collected.	2009 – 2020
	Allocate sufficient resources for law enforcement agencies, including by increasing the number of labor inspectors to provide adequate coverage of the workforce, as per ILO technical advice.	2009 – 2020
	Provide labor inspectors with adequate training and financial resources and fuel and vehicles to ensure their capacity to enforce child labor laws.	2009 – 2020
	Disaggregate labor law enforcement data to publish clear data about child labor in all its forms.	2020
	Publish data on criminal law enforcement efforts, such as the number of investigations, violations found, prosecutions initiated, and convictions secured, and whether penalties for violations related to the worst forms of child labor were imposed.	2009 – 2020
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor.	2010 – 2020
	Ensure all coordinating bodies publish activities during the reporting period.	2020
Government Policies	Ensure that the government publishes yearly data on child labor and the worst forms of child labor.	2020
	Publish activities undertaken to implement the National Action Plan to Combat the Worst Forms of Child Labor during the reporting period.	2020
Social Programs	Take measures to ensure that all children have access to education by providing supplies, uniforms, and an adequate number of schools, classroom space, and trained teachers. Address barriers for children from rural areas. Take preventative steps to protect children from physical and sexual abuse in schools.	2010 – 2020
	Publish activities undertaken to implement the Basic Social Subsidy Program and Programs for Street Children during the reporting period.	2018 – 2020
	Publish the results of the child labor study and use the findings to inform policies and programs.	2015 – 2020
	Institute programs to address child labor in domestic work, and expand existing programs to address the scope of the child labor problem.	2010 – 2020

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In 2020, Namibia made moderate advancement in efforts to eliminate the worst forms of child labor. Namibia ratified International Labor Organization Convention 189, the Domestic Workers Convention, which reaffirms the government's commitment to eliminate child labor in domestic work. The government also expanded its school feeding program to provide take-home food rations for vulnerable households during the COVID-19 pandemic. In addition, criminal law enforcement officials participated in training on the implementation of the Child Care and Protection Act to strengthen responses to child victims of the worst forms of child labor and other forms of exploitation. However, children in Namibia are subjected to 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. Prevention and elimination of child labor are not integrated into key national policies. In addition, social programs do not address child labor in agriculture and domestic work.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Namibia are subjected to 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 (%)		94.1

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (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	Working on farms, including harvesting millet (4-6)
Services	Domestic work (1,6-11)
	Street work, including begging and selling candies, fruits, and small goods (10,12-14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including in the production of pornography, sometimes as a result of human trafficking (2,4,10,11,15)
	Use in illicit activities, including organized begging and selling of drugs (1,10,16)
	Forced labor in agriculture, fishing, and domestic work, each sometimes as a result of human trafficking (2,15,17)

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

The government has not collected and published data on child labor, including its worst forms, to inform policies and social programs. (14) An extended regional drought and economic downturn in Namibia have likely affected children's vulnerability to child labor, including its worst forms. Children from rural areas move to urban centers, such as Windhoek, in pursuit of supplemental income for their families. (1) Sources of income include work

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in domestic service and vending. (1) Some of these children engage in selling drugs, organized begging, and commercial sexual exploitation. (4,10,13) Commercial sexual exploitation most commonly involves girls and occurs in cities and transit corridors; girls and boys increasingly are subjected to Internet-based forms of sexual exploitation, including use in the production of pornography. (1,4,10,18) Children are trafficked within Namibia and from neighboring countries, such as Angola, Zambia, Zimbabwe, and the Democratic Republic of the Congo, for forced labor in agriculture, domestic work, and commercial sexual exploitation. (1,11,19) It is a common practice for parents to place their children in the care of distant relatives for expanded education opportunities; in some cases, these children are subjected to forced labor. (2) Children of the San ethnic group are particularly vulnerable to forced labor on farms and in homes. (2,19)

Both primary and secondary education are free by law; however, long distances to schools, particularly in rural and remote locations, may deter some children from attending school and increase their vulnerability to child labor. (20-22) Children orphaned by the HIV/AIDS epidemic and other causes sometimes become heads of households, which requires them to leave school to find work. (20,23)

## 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	✓

In 2020, Namibia ratified the Domestic Workers Convention (ILO C. 189). Under this instrument, Namibia reaffirms commitments to the effective abolition of child labor in domestic work, including maintaining a minimum age for domestic work that is in line with the Minimum Age Convention (ILO C.138) and the Worst Forms of Child Labor Convention (ILO C.182).

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 hazardous work list.

**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 (24)
Minimum Age for Hazardous Work	Yes	18	Chapter 2, Article 3(4) of the Labor Act; Article 2(2) of the Labor Act (Regulations Related to Domestic Work); Article 15(2) of the Constitution (24-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Chapter 2, Articles 3(3)(d) and 3(4) of the Labor Act (24)
Prohibition of Forced Labor	Yes		Chapter 2, Article 4 of the Labor Act; Article 9 of the Constitution; Articles 202 and 234 of the Child Care and Protection Act; Section 15 of the Prevention of Organized Crime Act (24,26-28)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Sections 202 and 234 of the Child Care and Protection Act; Section 15 of the Prevention of Organized Crime Act; Chapter 2, Article 3(2) of the Combating of Trafficking in Persons Act (27-29)
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 (27,30)
Prohibition of Using Children in Illicit Activities	Yes		Section 234 of the Child Care and Protection Act (27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 17 of Defense Act I of 2002 (Government Notice 189 of 2010) (31)
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 (27)
Compulsory Education Age	Yes	14 ‡	Section 53 of the Promulgation of Education Act (21)
Free Public Education	Yes		Section 2 of the Education Amendment Act, 2017 (22)

\* No conscription (32)

‡ Age calculated based on available information (33)

Under Namibian Law, children typically are only required to attend school until age 14 because the requirement is to attend school until the completion of seventh grade, which tends to be when children are age 14, or at the latest until children are age 16. (21) During the reporting period, the Namibian Parliament passed an updated Promulgation of Basic Education Act, which will raise the age of compulsory education up to age 18. However, the government has not yet brought the law into force. (14,34) Namibia's legal framework authorizes the institution of a light work framework for children under age 18; however, the statute does not prescribe the number of hours during which such employment may be undertaken. Therefore, under the new educational standard, the minimum age for work would be below the compulsory education age without comprehensive light work protections, which may encourage children to leave school before the completion of compulsory education. (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 enforcement agencies 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 on child labor matters with the Ministry of Home Affairs, Immigration, Safety, and Security (MHAISS); the Ministry of Gender Equality, Poverty Eradication, and Social Welfare (MGEPEWSW); the Namibia Central Intelligence Service; and the Ministry of Education. (35) Refers children removed from child labor during inspections to MGEPEWSW for placement in social services. (36)
Ministry of Home Affairs, Immigration, Safety, and Security (MHAISS)	Enforces criminal laws through the Namibian Police. Coordinates with the labor inspectorate of MLIREC to investigate criminal labor violations, including child labor. (35,37,38) Through the Namibian Police Force's 15 Gender-Based Violence Protection Units, collaborates with MGEPEWSW and MLIREC to remove children from human trafficking and commercial sexual exploitation, while providing medical and psychosocial care for survivors. (35)

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### Labor Law Enforcement

In 2020, labor law enforcement agencies in Namibia took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Industrial Relations and Employment Creation (MLIREC) 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	2019	2020
Labor Inspectorate Funding	\$3,034,000 (20)	\$2,439,225 (14)
Number of Labor Inspectors	51 (20)	52 (14)
Inspectorate Authorized to Assess Penalties	Yes (24)	Yes (24)
Initial Training for New Labor Inspectors	N/A (20)	Yes (14)
Training on New Laws Related to Child Labor	Yes (20)	N/A (14)
Refresher Courses Provided	Yes (40)	Yes (14)
Number of Labor Inspections Conducted	1,628 (20)	1,932 (14)
Number Conducted at Worksite	1,628 (20)	1,932 (14)
Number of Child Labor Violations Found	0 (20)	0 (14)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (20)	N/A (14)
Number of Child Labor Penalties Imposed that Were Collected	N/A (20)	N/A (14)
Routine Inspections Conducted	Yes (20)	Yes (14)
Routine Inspections Targeted	Yes (20)	Yes (14)
Unannounced Inspections Permitted	Yes (24)	Yes (24)
Unannounced Inspections Conducted	Yes (20)	Yes (14)
Complaint Mechanism Exists	Yes (20)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (20)	Yes (14)

MLIREC conducted inspections in all regions and sectors of Namibia. (14,41) An inadequate number of labor inspectors likely hinders the inspectorate's ability to enforce laws, particularly in remote and rural areas of the country. (1) The number of labor inspectors is likely insufficient for the size of Namibia's workforce, which includes approximately 956,800 workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Namibia would employ about 64 inspectors. (42,43)

MLIREC operates a 24-hour SMS line for labor complaints, including child labor. The SMS hotline received no child labor complaints during the reporting period. (14)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Namibia 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 prosecution planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (20)	No (44)
Training on New Laws Related to the Worst Forms of Child Labor	No (20)	Yes (44)
Refresher Courses Provided	No (20)	No (44)
Number of Investigations	4 (20)	4 (44)
Number of Violations Found	4 (20)	17 (15)
Number of Prosecutions Initiated	3 (20)	1 (44)
Number of Convictions	Unknown (20)	1 (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (20)	Unknown (44)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (20)	Yes (44)



In 2020, 30 police officers and trainers received training on the implementation of the 2019 Child Care and Protection Act. The government also circulated a pocket manual with content on how to respond to child victims of exploitation. (14) The Namibian Police Force operates a toll-free hotline for reporting crimes, including child trafficking. However, research could not determine whether the police received complaints related to the worst forms of child labor. (15) An NGO operates another hotline for victims of gender-based violence and child exploitation to report cases and access information about available resources and refer cases to relevant government social services providers. (15,45) Although there are 15 Gender-Based Violence Protection Units in Namibia, research finds considerable variation in the operational performance of these units; because of resource constraints, only the Windhoek-based unit is operating at full capacity, and several other units are not able to function according to their intended mandates. (1,14)

During the reporting period, Namibian police arrested and initiated a prosecution for the sexual exploitation of at least eight child victims, including use in the production of child pornography. (18,46) The trial, however, was postponed to allow for additional investigation. (47) The government also reported nine additional child victims of crimes related to forced labor or sexual exploitation. (15) However, the government does not maintain centralized statistics for regional magistrate court cases, which limits information on criminal law enforcement efforts in response to the worst forms of child labor. (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 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	Role & Description
Inter-Ministerial Committee on Child Labor	Coordinates government policies and efforts to combat child labor. Comprises officials from MLIREC, the Ministry of Education, MGEPEWSV, MHAISS, and the Office of the Ombudsman. (35,48) Research was unable to determine whether the Inter-Ministerial Committee on Child Labor was active during the reporting period. (14)
Permanent Task Force for Children	Implements and coordinates services for children at the national level. Includes key ministries, NGOs, development partners, and bilateral agencies. (35) Met on a quarterly basis in 2019 to implement the National Agenda for Children. (20) Research was unable to determine whether the Permanent Task Force for Children was active during the reporting period. (14)
Child Care and Protection Forums	Address child protection issues and coordinate services in the country at the regional and district levels. Raise community awareness of the signs of child mistreatment and available services. (49) Participants include 14 regional councils, MGEPEWSV social workers, police, teachers, government agencies, NGOs, community leaders, churches, and other local-level stakeholders. Research was unable to determine whether Child Care and Protection Forums were active during the reporting period. (14)
Trafficking in Persons National Coordinating Body	Coordinates and monitors government and non-government responses to trafficking in persons in Namibia. (19) Led by MGEPEWSV, with participation from MLIREC, MHAISS, the Ministry of Justice, the Ministry of Home Affairs and Immigration, and the Prosecutor General and Attorney General. (11) The Trafficking in Persons National Coordinating Body met twice during the reporting period to coordinate the implementation of the National Referral Mechanism and Standard Operating Procedures on human trafficking. (15)

Research indicates that key coordinating bodies related to child labor did not convene meetings in 2020 due to imposed restrictions during the COVID-19 pandemic; however, research could not determine whether other coordinating activities related to these bodies occurred. (14)

MLIREC-led joint child labor inspection teams, which coordinate child labor inspections and referrals between ministries involved in child welfare, have not been in effect since the end of 2017. (40)

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### 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 Agenda for Children (2018–2022)	The primary strategy for child welfare issues. Focuses on strengthening the protection of children in need of care, including enforcement of laws protecting children from child labor. (50) Outlines procedural instructions for each ministry and stakeholder for cases of child mistreatment. (35,37,51)
National Development Plan V (2017/2018–2021/2022)	Includes goals for addressing child trafficking and protection concerns. (35,54)

† The government had other policies that may have addressed child labor issues or had an impact on child labor. (19,40,55-57)

Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Namibia during the reporting period. (14) In 2020, the Namibian Government began drafting a 5-year National Plan of Action Against Trafficking in Persons to guide anti-trafficking efforts, strengthen coordination among government ministries and civil society organizations, and increase public awareness, especially in rural areas. (15)

The 2017–2022 Strategic Plan of the Ministry of Gender Equality, Poverty Eradication, and Social Welfare does not integrate child labor elimination strategies. (58) Although the Ministry's 2019–2023 National Action Plan on Gender-Based Violence coordinates national efforts against gender-based violence, including rape and sexual abuse, physical domestic abuse, and human trafficking, it does not incorporate other worst forms of child labor, such as physical abuse occurring in domestic service and commercial sexual exploitation. (57) Research indicates that some children working in domestic service are subject to physical abuse by their employers. (8,55)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Social Protection Grants†	MGEPEWSW-funded grants to support vulnerable children and households. (59) Include child maintenance grants, place of safety allowances, and foster care grants. Child maintenance grants provide monthly stipends to single-parent families and are contingent upon school enrollment of all school-age children; place of safety and foster care grants provide support for people and places that provide temporary care for children. (60-62) MGEPEWSW provided grants to families during the reporting period. (14)
Shelters and Victims Services†	Government and NGO shelters that provide safe accommodation, meals, clothing, toiletries, psychosocial support, legal assistance, medical services, and access to education. (19) Registered residential childcare 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. (11,51) Shelters and victims services received government support and provided services during the reporting period. (14)
Namibian School Feeding Program†	Government program that provides mid-morning meals to school children in all 14 regions. (35,53) In 2020, the program served 431,500 children, an increase from 377,521 during the previous year. During the COVID-19 pandemic, the government provided take-home rations for vulnerable families through the School Feeding Program. (63)
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. (49) In 2020, the government allocated \$2.4 million for the program, unchanged from the previous year. (14,20)
Decent Work Country Program (2018-2023)	ILO-funded program to promote decent work in Namibia, including the elimination of child labor, through employment promotion, enhanced social protection, and social dialogue and collaboration. (19,52) Included specific actions targeting child labor, such as a child labor survey. (35,37,53)

† Program is funded by the Government of Namibia.

During the reporting period, the government partnered with a local NGO to provide protective services to Namibian and foreign victims of human trafficking, which included psychological and social support, legal assistance, medical care, proper documentation for foreign victims, and educational access for child victims. (2)

The government has 15 designated residential care facilities for children, but few of these shelters are able to provide complete services. The only fully operational government shelter is located in Windhoek, so children who live in rural areas must go to the capital to receive services. (1) Although the government provided assistance and services to vulnerable children and 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
Enforcement	Increase the number of labor inspectors to meet the ILO's technical advice to ensure adequate enforcement of labor laws, including in remote areas.	2019 – 2020
	Ensure that training is provided to criminal law enforcement investigators on laws related to child labor, including training for new investigators and refresher trainings.	2018 – 2020
	Publish information on the number of child labor complaints that are reported through the Namibian Police Force hotline.	2020
	Ensure that all Gender-Based Violence Protection Units have adequate resources to operate according to their intended mandates.	2018 – 2020
	Establish a mechanism to compile and publish comprehensive statistics related to labor and criminal law enforcement, including convictions for crimes related to the worst forms of child labor.	2019 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
	Reactivate joint child labor inspection teams to strengthen coordination between ministries that respond to cases of child labor.	2019 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2016 – 2020
	Integrate child labor elimination and prevention strategies into key national policies, including the Strategic Plan of the Ministry of Gender Equality and Child Welfare and the National Action Plan on Gender-Based Violence.	2019 – 2020
Social Programs	Conduct research on the prevalence of child labor to inform the development of policies and social programs.	2013 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children by expanding social support to orphaned children and taking measures to reduce long travel distances to schools.	2019 – 2020
	Institute programs or expand existing programs to address child labor in agriculture and domestic work.	2009 – 2020
	Ensure that there are adequate shelters, including in areas outside Windhoek, to meet the needs of vulnerable children.	2019 – 2020

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In 2020, Nepal made moderate advancement in efforts to eliminate the worst forms of child labor. The government acceded to the Palermo Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. It also published the Report on Employment Relationship Survey in the Brick Industry in Nepal, which provides information on the prevalence of child labor, forced labor, and bonded labor in the brick production sector. In addition, the government drafted an action plan for the elimination of child labor to facilitate the implementation of the Second National Master Plan on the Elimination of Child Labor, which aims to abolish all forms of child labor by 2025 and the worst forms of child labor by 2022. However, children in Nepal are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in the production of bricks. Although the government made meaningful efforts in all relevant areas during the reporting period, it does not meet international standards for legal prohibitions against child trafficking and legal prohibitions against the use of children for illicit activities. In addition, the Department of Labor's budget, the number of labor inspectors, and available resources and training are insufficient for enforcing labor laws, including those related to child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nepal are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in the production of bricks. (1-3) The government and the ILO are still analyzing the Nepal Labor Force Survey-III dataset to estimate child labor victim numbers. (4) Approximately 286,000 children were involved in work for pay, although the report noted that not all working children are in child labor. (4,5) The survey also incorporated the first forced labor module, and it reports that of the 34,338 individuals involved in forced labor, an estimated 17 percent are children. However, the survey does not report on all forms of child labor, including hazardous jobs. (4,5) Table 1 provides key indicators on children's work and education in Nepal. 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	37.2 (Unavailable)
Attending School (%)	5 to 14	91.7
Combining Work and School (%)	7 to 14	39.1
Primary Completion Rate (%)		120.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (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 caterpillar fungus ( <i>yarsagumba</i> ) (3,8,9)
Industry	Producing bricks (1,3,4,10-15)
	Quarrying, collecting, and breaking stones,† and quarrying and collecting sand (8,16)
	Construction,† activities unknown (3,4,17)
	Weaving carpet† (3,4,18)
	Producing embellished textiles ( <i>zari</i> )† and embroidery (4,8)

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

Sector/Industry	Activity
Industry	Producing metal crafts† (8,19)
Services	Domestic work (4,20-23)
	Mechanical workshops for cars and motorbikes† (4)
	Working in transportation,† portering, and collecting recyclable waste (4,17)
	Working in hotels,† restaurants,† tea shops, and in entertainment,† including as dancers† (3,4,17,24)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,4,25)
	Forced labor in embellishing textiles ( <i>zari</i> ), weaving carpets,† and domestic work (3,4,16,18,21,25,26)
	Forced labor in agriculture, producing bricks, quarrying, and breaking stones† (3,4,8,15,27)
	Use in illicit activities, including the cultivation and trafficking of drugs (3,4)
	Forced begging (3,25,26)

† 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 are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, both within and outside Nepal, including to India, the Middle East, Asia, and Sub-Saharan Africa. (26,28,29) Traffickers promise families work and education opportunities for their children, but instead bring them to often under-resourced and unregistered orphanages in urban centers, where the children are subjected to forced labor and forced begging on the streets. In addition, there are reports that some orphanages keep children in destitute and unsanitary conditions to attract charitable donations from foreigners. (3,25,26)

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. (1,3,30) According to the Report on Employment Relationship Survey in the Brick Industry in Nepal, conducted by the ILO, UNICEF, and the Central Bureau of Statistics of Nepal, there are an estimated 17,738 child laborers in the brick kilns of Nepal, with 15,400 of these children engaged in hazardous work. (15,31)

Due to COVID-19 pandemic-related national lockdowns, most of the industries in which children would work remained closed. However, bonded labor in agriculture, domestic work, and in brick kilns continued to exist. (4,23,32) Furthermore, although quantitative data are unavailable, the media, civil society, and NGOs report that the pandemic led to an increase in the number of children working in agriculture and domestic work, and on the streets. (4)

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. Although NGOs believe that the number of children involved in producing carpets continued to decrease, there were no data available to verify this claim. (16)

Last year, as the government increased the number of raids in the entertainment sector, the number of children working in this sector decreased; and with an increased awareness of child labor, research found a decrease in child labor across all sectors. (16) However, due to the pandemic-related national lockdown, the entertainment sector was closed for more than 10 months and remained closed at the end of the reporting period. No prevalence data are available to determine whether pandemic-related lockdowns affected child labor in this sector. (4)

Some children, particularly girls, face barriers to accessing education due to a lack of sanitation facilities, geographic distance, costs associated with schooling, household chores, and a lack of parental support. (16,33) 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. (2,34) The government has introduced free sanitary napkins in all schools across the country to encourage girls to attend their classes. (16) Barriers for attending school for school-age boys include pressure to find employment, migration to work outside Nepal, and issues with drugs and alcohol. Children with disabilities face additional barriers to accessing education, including denial of school admission. (16)




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. (4,35) Most Tibetan refugees who live in the country, particularly those who arrived after 1990 or turned 16 after 1995, do not have documentation, nor do their descendant children. Even those with acknowledged refugee status have no legal rights beyond the ability to remain in the country. (35,36) Nevertheless, the government allowed NGOs to provide primary- and secondary-level schooling to Tibetans living in the country. (35) In addition, 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 them. These refugees lack legal access to public education, as well as the right to work. (3,4,35) Child refugees who cannot legally access public education and those of legal age to work but who are not authorized to do so, are more susceptible to being exploited in the worst forms of child labor.

Due to pandemic-related school closings, online learning opportunities are limited for many children who do not have access to a personal computer or Internet connection. This situation has increased the risk of children being diverted from education to child labor, especially in rural and high mountain areas, where local resources are inadequate. (4) Furthermore, as schools reopen, families with economic hardship due to the pandemic may deprioritize education to meet basic needs, which may lead children to be at an increased risk of engaging in child labor when work is available. (37)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Nepal 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	✓

During the reporting period, the Government of Nepal ratified the Palermo Protocol to Prevent, Suppress, and Punish Trafficking in Persons. (4)

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 prohibition of child trafficking and the prohibition of using children in illicit activities that are consistent with international standards.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	14	Section 3 of the Child Labor (Prohibition and Regulation) Act (38)
Minimum Age for Hazardous Work	No	17	Section 3 of the Child Labor (Prohibition and Regulation) Act (38)

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**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		Schedule I 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 (38-41)
Prohibition of Child Trafficking	No		Sections 3–4 and 15 of the Human Trafficking and Transportation Control Act (41)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 66(3)(d) of the Act Relating to Children 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 (41-43)
Prohibition of Using Children in Illicit Activities	No		Section 16 of the Children’s Act (43)
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*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 39 of the Constitution (45)
Compulsory Education Age	Yes	14	Article 31 of the Constitution; Section 6 of the Free and Compulsory Education Act (33,45)
Free Public Education	Yes		Section 16D of the Education Act; Section 20 of the Free and Compulsory Education Act (33,45,46)

\* No conscription (45,47)

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) Furthermore, the types of hazardous work prohibited for children do not include brickmaking, a sector in which there is evidence that work involves carrying heavy loads and being exposed to hazardous substances. (15,38,48) However, Nepal's National Master Plan on Child Labor (2018–2028) has identified children working in brick kilns as targeted groups for hazardous occupation. (49)

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. (41,50) However, with accession to the Palermo Protocol, the Government of Nepal will be required to align its legal framework for human trafficking with international standards, including broadening its definition of human trafficking and better addressing child trafficking. (4) 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. (51)

Although the Constitution prohibits the recruitment of children by non-state armed groups, there is no specific legislation penalizing this practice. (33,45,47)

### 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 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 (DOL), Ministry of Labor, Employment, and Social Security (MoLESS)	Enforces labor laws, including those involving child labor. (4)
Nepal Police, Women, Children and Senior Citizen Service Directorate	Investigates crimes involving women and children, including human trafficking. Operates under the direct supervision of the Women, Children and Senior Citizens Service Directorate in all 77 districts. (52) Assists in children's rescue, rehabilitation, and coordination for arrest of perpetrators in cases of the worst forms of child labor. In cases of hazardous child labor, coordinates with and hands over cases to DOL. (4)
Ministry of Land Reform and Management	Enforces laws that prohibit bonded labor in agriculture. (2)
Monitoring Action Committees, Ministry of Women, Children, and Senior Citizens (MWCSC)	Investigate reports of commercial sexual exploitation at the district level, including the exploitation of children in the adult entertainment sector. (24)

During the reporting period, Nepal established its first labor court to address labor-related issues under the 2017 Labor Act, including child labor issues in certain circumstances. (53)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Nepal took actions to combat child labor (Table 6). However, gaps exist within the operations of the Department of Labor (DOL) 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	2019	2020
Labor Inspectorate Funding	\$3,100† (16)	\$3,400‡ (4)
Number of Labor Inspectors	14† (16)	10 (4)
Inspectorate Authorized to Assess Penalties	Yes (16)	Yes (40)
Initial Training for New Labor Inspectors	Yes (16)	Yes (4)
Training on New Laws Related to Child Labor	N/A (16)	N/A (4)
Refresher Courses Provided	No (16)	Yes (4)
Number of Labor Inspections Conducted	1,258† (16)	1,421 (4)
Number Conducted at Worksite	Unknown (16)	1,421 (4)
Number of Child Labor Violations Found	Unknown (16)	15 (4)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	15 (4)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (16)	15 (4)
Routine Inspections Conducted	Yes (16)	Yes (4)
Routine Inspections Targeted	Yes (16)	Yes (4)
Unannounced Inspections Permitted	Yes (40)	Yes (40)
Unannounced Inspections Conducted	Yes (16)	Yes (4,54)
Complaint Mechanism Exists	Yes (16)	Yes (4)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (4)

† Data are from July 2018 to July 2019.

‡ Funding is for July 2020 to July 2021.

Under a new Constitutional provision and Nepal's transition to federalism, the provincial governments have been given more authority, including the task of overseeing child labor monitoring and inspection and maintaining data and documentation on inspections. (4,40) During the reporting period, the government issued the "Procedure on Establishment and Operation of Information and Records Center" for local levels, which aims to establish information centers at each local government. Once implemented, this procedure will play a key role in tracking child labor data. (55,56)



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Also during the reporting period, DOL increased its budget for inspections focused specifically on child labor from \$3,000 during Nepali fiscal year 2019/2020 (mid-July 2019 to mid-July 2020) to \$3,400 during fiscal year 2020/2021, although both DOL officials and NGO representatives continued to report that resource insufficiency is a challenge. DOL also increased its number of labor inspections, as factories outside Kathmandu were operating and inspections were performed following pandemic health protocols. (4) According to Nepal's annual State of Children report, 79 children were rescued from child labor, including 10 children under age 10. (4) Although DOL reported that penalties were issued in 15 cases of violation of labor laws, DOL did not provide data on the amount or nature of the penalties. NGOs stated 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. (2,4)

In addition, research found that DOL does not take meaningful action against perpetrators of child labor and its worst forms, despite having the authority to do so. Cases are often resolved through negotiations, and DOL encourages mediation over prosecution, resulting in mild punishments for perpetrators. (4,16,50) In addition, business owners are known to put pressure on labor inspectors to settle disputes outside court. Furthermore, DOL officials and NGOs stated that officials are sometimes paid not to move child labor cases forward, or parents are given nominal compensation to abandon cases. (4)

The government has also confirmed that it calls on NGOs to assist with official inspections, because it lacks funding and resources, and to increase transparency. (4) The government and NGOs state that most child labor occurs in the informal sector, including in companies with fewer than 10 employees and those that are not registered with the government. (4,19) However, the government conducted most of its labor inspections in the formal sector. (57) Although the government claims to monitor companies regularly, NGOs report that due to resource limitations, enforcement agencies respond only to child labor complaints. (4)

Furthermore, 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 would employ about 1,120 inspectors. (58,59) Although the total number of labor inspector positions is 15, only 10 positions are filled currently. (4) DOL noted that the number of inspectors was still inadequate and limited the government's abilities to deal with child labor issues, particularly at the local levels. (4,16,60)

Although labor inspectors periodically receive training on child labor laws and inspections, this training does not necessarily adhere to any formal schedule. (57) Due to the pandemic, webinars were held in place of in-person trainings. DOL officials mentioned that the training was insufficient and stressed the need for specialized training on child labor inspection and law enforcement. (4)

### **Criminal Law Enforcement**

In 2020, 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 allocating financial resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (16)	Unknown (4)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (16)	N/A (4)
Refresher Courses Provided	Unknown (16)	Unknown (4)
Number of Investigations	Unknown (16)	Unknown (4)
Number of Violations Found	Unknown (16)	Unknown (4)
Number of Prosecutions Initiated	Unknown (16)	Unknown (4)
Number of Convictions	Unknown (16)	Unknown (4)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (16)	Unknown (4)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (4)

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. (16,24) The establishment of this bureau will allow the Government of Nepal to meet some of the obligations arising from the process of acceding to the Palermo Protocol. (24) 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. (4)

However, 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. (4,9,19,61) The Nepal Police do, however, collect and disaggregate data related to human trafficking cases, and reported 75 victims of child trafficking in Nepali fiscal year 2019/2020 (mid-July 2019 to mid-July 2020). (4)

The government does not publicly release information on its criminal law enforcement efforts. (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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Child Labor Prevention and Occupational Safety Section, Labor Relations and Social Security Division, MoLESS	Formerly the Labor Relations, Child Labor Prevention, and Information Section. (62) Coordinates policymaking on child labor inspection guidelines and monitors implementation of guidelines. (63) Consists of an Under Secretary, one section officer, and one factory inspector. (62) Confers with MWCSC, the Central Child Welfare Board, the DOL, and District Labor Offices. (63) COVID-19 pandemic restrictions hindered the activities of the Child Labor Prevention and Occupational Safety Section during the reporting period. (64)
National Child Labor Elimination Committee	Provisioned by the National Master Plan to End Child Labor and chaired by the Secretary of MoLESS. (19) Under the Child Labor Act, provides recommendations to the government on necessary reforms in the existing child labor laws and policies; provides consultations to the government to make necessary arrangements for the health, safety, education, and occupational training of the children working in institutions; and monitors effective implementation of the policies and laws aimed at eliminating child labor. (38,65) Due to the pandemic, the group did not meet during the reporting period. (4)
National Network Against Child Labor	Coordinates the referral of children who are found in child labor to social services. 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. (66) Research was unable to determine whether the National Network Against Child Labor was active during the reporting period.
National Committee for Controlling 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. (3) During the reporting period, engaged in activities to ratify the Palermo Protocol; amended the Human Trafficking and Transportation (Control) Regulation, 2007 to facilitate the transition to federalism; promulgated the Crime Offense (Victim Relief Fund) Rule; formed working committees to develop a new National Plan of Action on Combating Trafficking in Persons and amend the Human Trafficking and Transportation (Control) Act, 2007; and organized a series of awareness activities to commemorate National Day Against Human Trafficking. (54)
National Human Rights Commission (NHRC)	Coordinates with other ministries, carries out periodic reviews of relevant laws, and publishes the annual trafficking in persons report. (67) The Social Inclusion and Gender Equality Division of NHRC monitors and receives complaints on child rights violations and continues to collaborate with international organizations, NGOs, and other child rights organizations. (62) The pandemic has limited NHRC's activities during the reporting period, including the ability to publish its annual trafficking in persons report. However, NHRC has engaged with victims and anti-human trafficking NGOs in a limited manner. (54)

The Ministry of Labor, Employment, and Social Security also leads an inter-agency working group against child labor headed by a Joint Secretary, which coordinates efforts against child labor with UN agencies and international organizations working on child rights and child protection. (54)

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### 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 existing policies to better align with the constitutional transition to federalism.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Master Plan 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. Established an annual monitoring evaluation and reporting system through which information will be made publicly available. (4,68) During the reporting period, the government has drafted an action plan for the elimination of child labor to facilitate the implementation of the National Master Plan to End Child Labor, which aims to abolish the worst forms of child labor by 2028. (23,69)
School Sector Development Plan (2016–2023)	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. (70) During the reporting period, the Government of Nepal conducted a review to assess progress and achievements of the program in its fourth year of implementation, looking specifically at the impact of the pandemic on school dropouts in Nepal. (71)
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. (65,72) During the reporting period, MWCSC formed a working committee to work on a new action plan, with the hopes of completion by August 2021. (3,54)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2,4)

The fifteenth National Plan of Nepal (2019/20–2023/2024) has incorporated ending child labor as one of its objectives, including making necessary legal provisions to end all forms of child labor and increasing the target number of inspections conducted for child labor in each Nepali fiscal year. (4,73) In addition, the Ministry of Women, Children, and Senior Citizens has formulated the Child Development Strategy, aimed at targeted programs for children, including the elimination of child labor. (4)

There is a need to update the National Plan of Action on Combating Trafficking in Persons so that it better aligns Nepal's anti-trafficking programming with the constitutional transition to federalism, as well as to better address forced labor. (24,26)

Nepal is a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (4,74)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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†	MoLESS program that helps support workers and their families through a tripartite contribution policy, an important initiative to help combat and prevent child labor. (19,75) In Nepali fiscal year 2019/2020, MoLESS included 143,912 workers and 9,218 employers under the social security scheme and issued social security identity cards to 78,921 workers and 2,127 employers. In addition, MoLESS also commemorated the National Day of Social Security and organized several outreach and publicity programs. (62)

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

Program	Description
Helpline and Hotline Programs†	Child Helpline—1098 is a MWCSC- and Child Workers in Nepal-funded helpline operated by the Nepal Telecommunications Authority. (19) Responds to calls about missing children, child abuse, child labor, child trafficking, and child sexual abuse in 13 districts and municipalities in Nepal and in Bangladesh, Bhutan, India, Maldives, Pakistan, and Sri Lanka. (76,77) Provides rescue services, medical treatment, counseling, legal support, skills training, and shelter services. (24) National Center for Children at Risk—Hotline No. 104 is a hotline operated from Vrikutimandap, Kathmandu, which is jointly run by the Central Child Welfare Board and Nepal Police. (19,24) 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. (50) "Hello Sarkar" is an initiative established by the Office of the Prime Minister. Receives child labor complaints from the public through a hotline, Facebook, and Twitter. (19) According to the government's State of Children report, 1,420 children were rescued through these helpline and hotline programs in the Nepali fiscal year 2019/2020. In addition, these helplines provided 8,744 children with social services. (4)
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. (9) This program was active during the reporting period. (62)
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. (2,19,78) During the reporting period, 68 children who were victims of human trafficking were reported to have received shelter and psychosocial support from Hamro Samman. (4)
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 <i>Sakriya</i> , a \$2.85 million project implemented by World Education, Inc., and <i>From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)</i> , implemented in six countries by ILO. (79,80) Additional information is available on the USDOL <a href="#">website</a> .

† Program is funded by the Government of Nepal.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (4)

The Ministry of Labor, Employment, and Social Security, with support from international NGOs, passed the "Child Labor Free Declaration Procedures for the Local Governments" to identify and declare at least 25 local jurisdictions "child labor free" in the Nepali fiscal year 2020/2021. These guidelines incorporated several indicators, including a child labor survey and programs at the local level to eliminate child labor. (4) Through this measure, the government set up an Emergency Fund at the national and local levels to rescue and rehabilitate vulnerable children. (4)

Also during the reporting period, the Government of Nepal published the Report on Employment Relationship Survey in the Brick Industry in Nepal, which was conducted in 2019 in partnership with the ILO, UNICEF, and the Central Bureau of Statistics of Nepal. The survey is the first nationally representative research conducted in the brick industry, providing information on the prevalence of child labor, forced labor, and bonded labor in the brick production sector. (15)

However, gaps exist in these social programs, including 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).

# Nepal

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**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws are in line with ILO C. 182 by raising the minimum age to 18 for entry into hazardous work.	2009 – 2020
	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 – 2020
	Ensure that the legal framework comprehensively and criminally prohibits the trafficking of children without needing proof of the use of force, fraud, or coercion.	2015 – 2020
	Ensure that the law criminally prohibits the use of children in illicit activities, including the production of drugs.	2015 – 2020
	Ensure that the law criminally penalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Increase penalties to ensure sufficient deterrence of child labor law violations.	2015 – 2020
	Ensure that legal provisions against child labor are implemented and enforced against perpetrators.	2018 – 2020
	Ensure that the Department of Labor's budget is sufficient to adequately enforce child labor laws.	2016 – 2020
	Improve human resource capacity, including increasing the number of child labor inspections, especially in the informal sector.	2018 – 2020
	Strengthen the labor inspectorate, particularly at the local levels, by initiating routine targeted inspections in all sectors rather than performing inspections solely based on complaints received.	2017 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2010 – 2020
	Institutionalize trainings for labor inspectors on laws related to child labor, including its worst forms.	2019 – 2020
	Publish data on criminal law enforcement actions, including whether new criminal investigators received initial training, refresher courses for investigators, and the number of investigations, violations, prosecutions, convictions, and penalties imposed for violations related to the worst forms of child labor.	2009 – 2020
	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 – 2020
	Provide sufficient resources to create a centralized database to track and monitor cases of the worst forms of child labor, disaggregated by type of activity.	2009 – 2020
Coordination	Ensure that all coordinating bodies are active and able to carry out their intended mandates.	2020
Government Policies	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 – 2020
Social Programs	Collect and publish data on child labor and its worst forms, particularly regarding hazardous work.	2018 – 2020
	Conduct research to determine the types of activities carried out by children, including in the construction sector, to inform social policies and programs.	2019 – 2020
	Eliminate barriers to education, 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 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children, including children with disabilities and refugee children.	2019 – 2020
	Create social programs that support child victims of commercial sexual exploitation and children working in the brick industry.	2018 – 2020

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In 2020, Nicaragua made minimal advancement in efforts to eliminate the worst forms of child labor. The government established the program Women for Life, Peace, and Wellbeing Plan, with the aim of providing critical attention to victims of domestic violence and sexual violence, as well as trafficking in persons. However, children in Nicaragua are subjected to 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. Laws do not establish a clear compulsory education age, and national policies to eliminate child labor and protect children have not been fully implemented. The government also lacks a specific and consistent mechanism to coordinate efforts to address child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nicaragua are subjected to 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 agriculture. (2,3) Table 1 provides key indicators on children’s work and education in Nicaragua. Data on some of these indicators are not available from the sources used in this report.

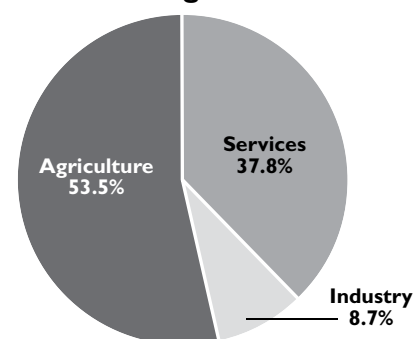
**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	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 (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization’s analysis of statistics from Encuesta Continua de Hogares (ECH), 2012. (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	Harvesting coffee, bananas, tobacco,† and sugarcane (2,6,7)
	Raising livestock† (8,9)
	Collecting shellfish† (9)
Industry	Construction,† including transporting materials† (8-10)
	Quarrying† of pumice and limestone, and mining† of gold (2,9-11)
	Production of gravel (crushed stones)† (12)
Services	Domestic work (8-10)
	Work in transportation† and as couriers† (8,9)
	Work in tourism and the hotel industry (8)
	Street work, including vending,† washing car windshields,† and performing at stoplights† (8,9,13)

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**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, and use in the production of pornography (1,8,9,11,14-17)
	Domestic work as a result of human trafficking (15-17)
	Forced begging, sometimes as a result of human trafficking (10,11,17,18)
	Use in illicit activities, including in drug production and drug trafficking (8,10)

† 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. (8,19) 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. (11,14,20) Children from poor rural areas, those in the Caribbean Autonomous Regions, and migrants from the Northern Triangle countries are particularly vulnerable. (11) In addition, Nicaragua is a destination country for child sex tourists from the United States, Canada, and Western Europe. (10) Limited research suggests that after the political upheaval that took place in 2018 the Nicaraguan National Police began focusing resources on responding to anti-government protests, as well as surveilling and arresting political opposition members, possibly impacting public security and leaving children more vulnerable to commercial sexual exploitation. (1)







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. (21) An estimated 15 percent of children born in Nicaragua lack birth certificates. (22)

Education is free and compulsory in Nicaragua; however, the costs associated with school supplies and transportation make it difficult for some children, particularly those from poor backgrounds and rural areas, to attend school. (1,8)

## 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 (23-26)
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 (23-25,27)
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 (23,27)
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 (26,28,29)
Prohibition of Child Trafficking	Yes		Articles 61–63 of the Law Against Trafficking in Persons; Articles 182–183 and 315 of the Penal Code (28,29)
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 (25,28,29)
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 (25,28-30)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Annex 1 of the Code on the Organization, Jurisdiction, and Social Welfare of the Military (31)
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 (26,28)
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 (25,26,32)
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 (25,26,32)

\* No conscription (26)

‡ Age calculated based on available information (25,26,32)

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; however, it does not specify an age. (26) 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. (32) Article 43 of the Childhood and Adolescence Code states that both primary and secondary school education are compulsory, suggesting up to age 17; however, it does not specifically state an age. (25) 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. (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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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**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. (16) 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. (16)
Nicaraguan National Police	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. (16)
Ministry of Governance	Coordinates participation between MITRAB and the Nicaraguan National Police in labor inspections in which employers resist inspection. (16)
Prosecutor'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. (16)
Human Rights Attorney for Children	Assists in the enforcement of laws related to child labor and hazardous child labor. (16)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Nicaragua took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor (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	2019	2020
Labor Inspectorate Funding	\$1,200,000 (16)	\$1,380,000 (1)
Number of Labor Inspectors	97 (16)	97 (1)
Inspectorate Authorized to Assess Penalties	Yes (23)	Yes (23)
Initial Training for New Labor Inspectors	Yes (16)	N/A (1)
Training on New Laws Related to Child Labor	N/A	N/A (1)
Refresher Courses Provided	Unknown (16)	Yes (1)
Number of Labor Inspections Conducted	13,529 (16)	15,182 (1)
Number Conducted at Worksite	Unknown (16)	Unknown (1)
Number of Child Labor Violations Found	272 (16)	4 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (16)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Yes (16)	Yes (1)
Routine Inspections Targeted	Yes (16)	Yes (1)
Unannounced Inspections Permitted	Yes (23)	Yes (35)
Unannounced Inspections Conducted	Unknown (16)	Unknown (1)
Complaint Mechanism Exists	Yes (16)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (16)	Yes (1)

In 2020, a total of 15,182 labor inspections were conducted, representing approximately 156 inspections carried out by each inspector. This is a high number of inspections conducted by each inspector, and it is likely that this high number impacts the quality of such inspections. (1) A lack of resources may hinder MITRAB's capacity to enforce child labor laws. (8,9,36) For example, 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. (37,38) Although the government maintains that its budget for the inspectorate is sufficient, civil organizations indicate that funding levels do not permit the inspectorate to address the scope of the problem. For example, reports indicate that Nicaragua has a large informal and rural workforce, and the General Labor Inspectorate is unable to cover the country's vulnerabilities to, and the magnitude of, labor violations adequately. (1,9) In 2020, MITRAB signed 6,503 cooperative agreements with private sector businesses that pledged not to use child labor. (1)

The government did not provide information on the number of penalties imposed for child labor violations, nor on penalties collected, for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, 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 the allocation of sufficient financial resources 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	2019	2020
Initial Training for New Criminal Investigators	Yes (16)	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	Unknown (1)
Refresher Courses Provided	Unknown (16)	Unknown (1)
Number of Investigations	2 (16)	7 (1)
Number of Violations Found	2 (16)	7 (1)
Number of Prosecutions Initiated	6 (16)	7 (1)
Number of Convictions	Unknown (16)	9 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (16)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (16)	Yes (1)

Research did not find the number of criminal investigators employed by the Nicaraguan National Police or Prosecutor General's Office during the reporting period. Information about the training provided to criminal law enforcement investigators was also unavailable. (9,18)

The government investigated seven cases of commercial child sexual exploitation; however, this number is low compared to the severity of the problem in the country. (1) Furthermore, according to the government they obtained nine convictions against individuals for violations related to the commercial sexual exploitation of children. (1) However, the government does not publicize the judicial proceedings and independent observers are unable to verify arrests, detentions, and convictions of individuals. (39) Research indicates that criminal law enforcement agencies lack sufficient financial resources to adequately carry out criminal investigations. In addition, research points out that efforts related to the worst forms of child labor do not adequately address the scope of the problem. (40,41)

The Ministry of the Family, Adolescence, and Childhood (MIFAN) maintains a hotline for receiving reports on human trafficking and commercial sexual exploitation, as well as assists in providing officials with training on child labor violations. (34) Although MIFAN also 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)

## **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.

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

Coordinating Body	Role & Description
National Social Welfare System	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; the Ministry of the Family, Adolescence, and Childhood (MIFAN); the Ministry of Education (MINED); the Ministry of Health (MINSAL); and the Ministry of Governance. (36,42) Research was unable to determine whether the National Social Welfare System Coordinating Body was active during the reporting period.
National Coalition Against Trafficking in Persons	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. (20,43) During the reporting year, it met monthly, as did its 16 department-wide working roundtable committees. (1,39)

Although the National Coalition Against Trafficking in Persons (NCATIP) led several working groups in 2020, for the fourth year in a row NCATIP did not engage local civil society, despite being required to do so by law. Local civil society organizations were also unable to corroborate increased NCATIP activity in the local working groups, and in general, the government did not coordinate with or fund NGOs, despite NGOs providing the majority of victim services. (1,11,15,20,44) Some civil organizations report a continued dismantling of once-active NCATIP regional committees and state that it has had no measurable impact since its creation. (39) NCATIP also did not appoint its Executive Secretariat, which is mandated by the Law Against Trafficking in Persons. (1,11)

Reporting indicates that the National Social Welfare System 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)

## 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 implementation of these policies.

**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. (45) Research was unable to determine whether activities were undertaken during the reporting period to implement the Roadmap. (1,8)
Good Government Plan	Sets development goals for government ministries, including MITRAB, MINED, and MINSAL. Prioritizes human trafficking investigations; aims to protect children from commercial sexual exploitation; and commits to training teachers by creating 1,000 primary school teaching positions and increasing access to education, including for indigenous and Afro-descendant children. (46) Research was unable to determine whether activities were undertaken during the reporting period to implement the Good Government Plan.
National Action Plan on Human Trafficking (2018–2022)	A four-pronged approach focused on awareness raising, capacity building, trainings, victim protection, and monitoring. (11) The Supreme Court of Justice oversaw the design and implementation of the plan. IOM collaborated by editing the document and provided training for government officials. (11) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Action Plan on Human Trafficking.
National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking	Describes the process for identifying and assisting victims of human trafficking. (47) Research was unable to determine whether activities were undertaken during the reporting period to implement the National Strategy for the Comprehensive Care and Assistance to Victims of Human Trafficking.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 ( <i>Programa Amor</i> )†	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. (48) Promotes school attendance, house-to-house and school visits, and extra-curricular activities. (1) Overseen by Nicaragua's Vice President in coordination with MINED, MINSA, MITRAB, and the Ministry of Governance. (48) Allows MIFAN to carry out activities with other government institutions, civil society, and religious organizations, as well as with communities and families. (1) Includes children from birth to age 6 through the Love Program for the Smallest Ones. (48) There is little to no information available from the government regarding the impact of the program since its creation in 2008. (49,50)
Educational Bridges ( <i>Puentes Educativos</i> )†	MITRAB and MINED public-private partnership implemented by World Vision that provides education to children of coffee workers to prevent child labor during coffee harvests. (51,52) Research was unable to determine whether activities were undertaken during the reporting period to implement Educational Bridges.
Integral School Meal Program ( <i>Merienda Escolar</i> )†	MIFAN and WFP initiative that provides children and adolescents with meals at school to address poverty and improve attendance. (34) In 2020, the government reported providing this assistance to 100 percent of students in public grade schools, and reports indicate this program was active during the year. (1,53,54)
National School Supply Program ( <i>Paquetes Escolares Solidarios</i> )†	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. (34) During the reporting period, the government reported providing assistance to 100 percent of rural students through the program, and reports indicate that the program was implemented throughout the year. (1,55,56-58)
Women for Life, Peace, and Wellbeing Plan ( <i>Plan Mujeres por la Vida, Paz y Bien</i> )*†	Government initiative that began in February 2020. Provides critical attention to victims of domestic violence, sexual violence, and human trafficking. (1) Mostly consists of awareness-raising activities; during the reporting period, reached 34,660 beneficiaries, including 8,494 children and 5,485 adolescents, through activities such as door-to-door visits, fairs, festivals, community assemblies, radio programs, and extra-curricular activities that addressed themes such as the role of families in promoting safe and secure homes for children. (1)

\* Program was launched during the reporting period.

† 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. (1,59,60)

MIFAN coordinated services for child trafficking victims, including access to medical and legal services, as well as education. (18,44) Yet the country still lacks adequate services for human trafficking victims, such as shelters and specialized services for victims with disabilities and male trafficking victims. Furthermore, child trafficking victims have at times been returned to their families despite the risk of re-victimization. (44)

The scope of current social programs is not sufficient to assist children who are subjected to human trafficking or engaged in the worst forms of child labor, including commercial sexual exploitation. (16) Research indicates that the regions most affected by human trafficking, such as the Caribbean Autonomous Regions, lack adequate care facilities, and children who are victims of human trafficking in these areas are referred to NGO shelters in Managua. (39)

The government does not report funding levels for, or specific activities undertaken by, the Love Program; however, research indicates that the program is underfunded. (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 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 – 2020
Enforcement	Ensure that adequate training and refresher courses are provided for labor law inspectors and criminal investigators.	2019 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Publish complete labor law enforcement data, including information about worksite inspections, unannounced inspections, number of child labor violations, and penalties imposed for violations.	2015 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the Ministry of Labor has sufficient funding to enforce labor laws adequately, including those related to child labor, and that resource needs are met.	2018 – 2020
	Ensure that criminal law enforcement efforts are sufficient to address the scope of the problem and that agencies have the funding and resources necessary to carry out duties.	2014 – 2020
	Establish an adequate mechanism for identifying human trafficking victims, particularly children, among high-risk populations.	2018 – 2020
Coordination	Ensure that the National Social Welfare System is active, fully funded, and carries out its mandated activities.	2020
	Ensure that the government has a specific and consistent mechanism to coordinate efforts to address child labor, including with NGOs, and to publicly report on these efforts.	2014 – 2020
	Ensure that the National Coalition Against Trafficking of Persons works with relevant local stakeholders to address human trafficking issues, and ensure that it establishes its Executive Secretariat, as mandated by the Law Against Trafficking in Persons.	2015 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor to address child labor during the reporting period.	2009 – 2020
Social Programs	Collect and publish updated data on the prevalence of child labor in the country.	2018 – 2020
	Expand birth registration programs to ensure that children have access to basic services.	2009 – 2020
	Remove barriers to education, such as transportation and the cost associated with school supplies, for all children, particularly those from poor backgrounds and rural areas; develop strategies and devote resources to improve attendance of children in secondary school.	2009 – 2020
	Implement social programs that address the full scope of the worst forms of child labor in the country, including commercial sexual exploitation.	2009 – 2020
	Develop social services for human trafficking victims, such as shelters and specialized services, and ensure that services are available throughout the country, especially in areas where children are most vulnerable.	2010 – 2020
	Ensure that social programs are adequately funded and implemented, and that they report on their yearly efforts.	2019 – 2020

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In 2020, Niger made minimal advancement in efforts to eliminate the worst forms of child labor. The government hired additional labor inspectors and carried out several capacity training workshops. However, children in Niger were subjected to the worst forms of child labor, including in hereditary slavery and mining, each sometimes as a result of human trafficking. Children also perform dangerous tasks herding cattle. The minimum age for work does not meet international standards because it does not apply to children in unpaid or non-contractual work. In addition, the particular type of slavery known as *wahaya*, while illegal, continues to exist. Gaps in labor law enforcement also remain, including insufficient funding for labor inspectors to conduct inspections. Also, 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 are subjected to the worst forms of child labor, including in hereditary slavery and in mining, each sometimes as a result of human trafficking. (1-4) Children also engage in dangerous tasks herding cattle. (4,5) 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 (%)		62.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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 rice, fruits, nuts, and vegetables (2,8,9)
	Herding and caring for livestock, including cattle (2,5)
	Fishing, including river net casting (10)
Industry	Quarrying† and mining† for trona, salt, gypsum, and gold (1,3,11-16)
	Metal work† (17)
	Working in construction,† tanneries,† and slaughterhouses† (5,15,16,18,19)
	Brick making (16)
Services	Street work, including as market vendors, and begging† (1,5,15,18)
	Domestic work (1,2,5,11,15,16,20)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,3,15,16,21-24)
	Forced recruitment of children by non-state armed groups for use in armed conflict (3,5,15,23,25)
	Hereditary and caste-based slavery, including for cattle herding, agricultural work, domestic work, and sexual exploitation (2,3,14-16,21,23,26)
	Forced begging, sometimes as a result of human trafficking (1-3,16,21,26-29)
	Forced labor in domestic work and mining, each sometimes as a result of human trafficking (3,11,14,16)

† 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.

# Niger

## MINIMAL ADVANCEMENT

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 the regions of Tahoua and Agadez. (15) 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. (2,3,16,19,20) A particular form of slavery in Niger is the *wahaya* practice, in which men buy girls born into slavery, often between ages 9 and 14, as “fifth wives.” Even though Niger’s Supreme Court set legal precedent by ruling *wahaya* to be illegal in 2019, the government has made limited efforts to inform the public of the court’s ruling. During the reporting period, anti-slavery NGOs, along with the ILO, conducted awareness-raising campaigns about the illegality of this practice so that more affected women will bring cases to court. (10,14,20,30-33) 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. (11,15,16,19,21,26,34) 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. (5,16,19,21,34,35)

In Niger, some Koranic teachers known as *marabouts* may subject their students, boys known as *talibés*, to manual labor or forced begging rather than providing them with a religious education. (1-3,14-16,21,23) Children in Niger participating in seasonal migration or migrant children from West Africa traveling to Algeria and Libya may also be subject to forced begging or commercial sexual exploitation as a result of human trafficking. (27-29,36-40) In addition, Niger has a form of internal child trafficking called *confiage*, in which family members send their children to live with relatives or friends with promises of better educational or trade learning opportunities. However, some children are instead subjected to exploitation, including forced labor, sex trafficking, and domestic work. (16)



Violent extremist organizations active in Niger—ISIS in the Greater Sahara, Boko Haram, ISIS-West Africa, and Jama’at Nusrat al-Islam wal-Muslimin—are known to forcibly recruit children. However, the government maintains age requirements for enlistment into the armed forces and has laws against the use of child soldiers. (15) Research has found no evidence of complicity by the government. (15)

In Niger, many children, especially girls, do not attend school. (14,15,35,41) Some teachers and schools require small fees to augment their insufficient government salaries. (10) The lack of school infrastructure and school materials, and limited availability of teachers, especially in rural areas, impede access to education, which may increase the vulnerability of children to the worst forms of child labor. (22,35,42,43) In addition, refugee and IDP children, both within and outside Niger’s borders, may have difficulty accessing education, which makes them particularly vulnerable to the worst forms of child labor, including recruitment by non-state armed groups. (14,19,24,27-44) In 2020, due to insecurity in the Tillabéri, Tahoua, and Diffa regions, regional governments closed over 300 schools. The Government of Niger also closed public schools for significant periods as a precaution due to the COVID-19 pandemic. (15) Traditionally, a majority of children do not continue education beyond age 12, although the compulsory age for education is 16. (15)

## 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	✓

**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 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 (45)
Minimum Age for Hazardous Work	Yes	18	Article 159 of Decree No. 2017-682 (46)
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 (46,47)
Prohibition of Forced Labor	Yes		Article 14 of the Constitution; Article 4 of the Labor Code; Article 158 of Decree No. 2017-682; Article 270 of the Penal Code; Article 2 of the Law on Combating Trafficking in Persons (41,45-48)
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 (45,46,48,49)
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 (45-48)
Prohibition of Using Children in Illicit Activities	Yes		Article 107 of the Labor Code; Article 158 of Decree No. 2017-682; Article 181 of the Penal Code; Articles 10 and 16 of the Law on Combating Trafficking in Persons (45-48)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 107 of the Labor Code (45)
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 (45)
Compulsory Education Age	No		Article 8 of Decree No. 2017-935/PRN/MEPAPLN/EC/MES; Article 2 of the Law on the Orientation of the Educational System (50,51)
Free Public Education	Yes		Article 23 of the Constitution; Article 8 of Decree No. 2017-935/PRN/MEPAPLN/EC/MES; Article 2 of the Law on the Orientation of the Educational System (41,50,51)

\* No conscription (52)

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 establishing a minimum age for work. (45,53) In addition, Article 2 of the Law on the Orientation of the Educational System in Niger guarantees education for all children ages 4 to 18, and Article 8 of Decree No. 2017-935 states that the government is required to promote access to compulsory education. However, Niger's law does not clearly articulate to which age groups the latter provision applies, thereby leaving the risk that some children are not covered and increasing the risk of children's involvement in child labor. (50,51)

# Niger

## 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 enforcement agencies 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. Conducts awareness-raising programs to combat child labor. (2,15,17,54,55)
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. (12,15,21,56)
Ministry of Justice's District and Magistrate Courts	Enforce criminal laws related to child labor through 10 district courts and 30 magistrate courts. (12,15,17,54)
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 and Illegal Migrant Transport (CNCLTP/TIM), conducts awareness campaigns about human trafficking, provides training and education to reduce the risk of human trafficking, and maintains a hotline to receive complaints concerning human trafficking. (3,4,15,57,58)
National Human Rights Commission	Receives complaints related to child labor, including the worst forms, and conducts investigations of human rights violations, including hereditary slavery. (2,4,15,20,54)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Niger took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Employment, Labor and Social Security (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	2019	2020
Labor Inspectorate Funding	\$20,000 (4)	Unknown (15)
Number of Labor Inspectors	51 (4)	57 (15)
Inspectorate Authorized to Assess Penalties	Yes (45)	Yes (45)
Initial Training for New Labor Inspectors	Yes (4)	Yes (15)
Training on New Laws Related to Child Labor	N/A (4)	N/A (15)
Refresher Courses Provided	Yes (4)	Yes (15)
Number of Labor Inspections Conducted	487 (4)	Unknown (15)
Number Conducted at Worksite	Unknown (4)	Unknown (15)
Number of Child Labor Violations Found	Unknown (4)	Unknown (15)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (4)	Unknown (15)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (4)	Unknown (15)
Routine Inspections Conducted	Yes (4)	Yes (15)
Routine Inspections Targeted	Yes (4)	Yes (15)
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	No (4)	Unknown (15)
Complaint Mechanism Exists	Yes (4)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (15)

Despite an increase in the number of labor inspectors—from 51 to 57—the total number of labor inspectors is likely insufficient for the size of Niger's workforce, which includes approximately 6.5 million workers. (15) 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. (4,60,61) In addition, research found that the government lacks adequate funding and personnel to conduct labor inspections, especially in the informal sector and in remote locations. (4,5,26) The government did not provide information



on the number of inspections conducted, violations found, penalties imposed, and penalties collected for inclusion in this report. During the reporting period the government did not collect or publish general data on child labor or the worst forms of child labor. (15)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (4)	Yes (15)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (4)	N/A (15)
Refresher Courses Provided	Yes (4)	Yes (15)
Number of Investigations	Unknown (4)	Unknown (15)
Number of Violations Found	Unknown (4)	Unknown (15)
Number of Prosecutions Initiated	Unknown (4)	Unknown (15)
Number of Convictions	Unknown (4)	Unknown (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (15)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (15)

In September 2020, the government stood up a National Referral Mechanism (NRM). The NRM identified roles for prosecutors, judges, law enforcement, labor inspectors, diplomats, international organizations, NGOs, and union actors. (10) In October, the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport (ANLTP/TIM) partnered with an international organization to provide training for 29 individuals from the ministries of Justice and Promotion of Women and Protection of Children, local education and health officials, a traditional leader, and NGOs. The training centered on increasing key actors' ability to implement the NRM, community engagement, and improving law enforcement's efficacy in identifying victims. (10) The government also broadcast the training on two national television and radio stations in both French and Hausa. All ANLTP/TIM focal point staff received training on the new NRM. (10) Research found that inadequate resources, including insufficient personnel, funding, and training, hamper the capacity of criminal law enforcement authorities to coordinate and enforce laws related to the worst forms of child labor. (4,5,15,26,62) ANLTP/TIM maintains and publicizes a hotline to report trafficking in persons crimes, but the number of calls received by the hotline that involve child trafficking is unknown. In addition, 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 cases of exploitation, such as child trafficking or forced labor, according to MELSS. (26,63,64) The government did not provide information on investigations, prosecutions, and convictions for inclusion in this report.

Even though the Nigerien Supreme Court ruled the practice of *wahaya* is illegal in 2019, reinforcing the 2003 Penal Code that prohibits this practice, research found enforcement to be negligible, that it is still common practice in some parts of the country, and uncovered that there was no evidence of efforts to raise awareness of this ruling during the reporting period. (14-16,30,47) In addition, a civil society organization specializing in assisting victims of hereditary slavery reported that most victims do not come forward or file complaints against their former masters due to a lack of reintegration services and dependency on their former masters. (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). However, gaps exist that hinder the effective coordination of efforts to address child labor, including efficacy in accomplishing mandates.

## MINIMAL ADVANCEMENT

**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. (12,22,55) During the reporting period, ILO engaged with the Steering Committee to continue work on finalizing a National Action Plan to Combat Child Labor. (10)
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. (15,22,24,48,58) Includes representatives from MELSS and civil society organizations. (57) During the reporting period, CNCLTP/TIM activities continued, despite the pandemic. (16)
National Committee to Combat Child Labor in Agriculture	Coordinates policies and programs to combat child labor in agriculture. Chaired by the Ministry of Agriculture, includes representatives from MELSS, the Ministry for the Promotion of Women and Child Protection, and non-governmental stakeholders. (65) Research was unable to determine whether the National Committee to Combat Child Labor in Agriculture was active during the reporting period.
Child Protection Committees	Educate the public on the rights of children and limit abuses, including child labor. (14,66) Research was unable to determine whether the Child Protection Committees were active during the reporting period.
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. (2,12,15,59)

The government took steps to formalize coordination efforts. (10,15)

## 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
National Action Plan to Combat Trafficking in Persons (2019–2023)	Aims 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. (14,67) During the reporting period, several capacity building training workshops were held for judiciary and law enforcement officials. (16)
Plan for Social and Economic Development (2017–2021)	Aims to promote sustainable development and social equality. Overseen by the Ministry of Planning. (22,68) Includes activities to improve access to education for vulnerable populations, especially migrant children, and to combat street work and forced begging by children. (68) Research was unable to determine whether activities were undertaken to implement the Plan for Social and Economic Development as it relates to child labor 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. (21,69) Research was unable to determine whether activities were undertaken to implement the National Social Protection Strategy as it relates to child labor during the reporting period.
UN Development Assistance Framework (UNDAF) (2019–2021)	Promotes improved access to education for vulnerable children and aims to build government capacity to address child labor. Operates under the direction of the Ministry of Planning and receives support from international donors. (4,70) Research was unable to determine whether activities were undertaken to implement the UN Development Assistance Framework 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. (22,71,72) Research was unable to determine whether activities were undertaken to implement the Education and Training Sectorial Program during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (22)

During the reporting period the Government of Niger continued to develop the 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; it has not yet been adopted. (10,15,22,23,73)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Centers for the Prevention, Protection, and Promotion of Persons (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. (1,2,74) In 2020, the program continued but research could not find information on activities or how many of the 54 existing centers continue to be open. (4,14,15,59)
Global Action Against Trafficking in Persons and the Smuggling of Migrants	\$12.2 million EU-funded global project implemented by UNODC, UNICEF, and IOM to combat human trafficking and migrant smuggling. (75,76)
UNICEF Country Program (2019–2021)	UNICEF-funded program to support 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. (77-79) Research was unable to determine whether activities were undertaken to implement the UNICEF Country Program during the reporting period.
USDOL-Funded Projects	USDOL-funded global projects implemented by the ILO to support global and national efforts aimed at countering child labor and the forced labor of adults and children. Include <a href="#">From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)</a> , and the <a href="#">Measurement, Awareness-Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor (2019–2021)</a> , a \$200,000 program. (82) 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. (73,80) The program has been extended through 2021 with additional funding from ILO. (15) Additional information is available on the USDOL <a href="#">website</a> .

† 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 program to assist children exploited by religious instructors. (4,17,24,26,62,81) In addition, the resources and facilities available to social services agencies remain inadequate. (3,4)

## 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 Niger (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 for work provisions and protections apply to self-employed children and those in unpaid or non-contractual work.	2015 – 2020
	Establish a compulsory education age equal to the minimum age of employment.	2016 – 2020
Enforcement	Ensure that inspections and enforcement efforts take place in the informal sector, and in remote locations, where most child labor occurs.	2014 – 2020
	Publish complete information on the number of worksite inspections conducted, violations found, penalties imposed and collected, investigations, prosecutions, and convictions related to the worst forms of child labor.	2012 – 2020
	Collect and publish complete information and data about child labor and the worst forms of child labor.	2020
	Increase the resources, including funding and training, and number of labor inspectors and criminal investigators dedicated to enforcing child labor laws to provide adequate coverage of the workforce and meet the ILO's technical advice.	2009 – 2020
	Disaggregate complaints made to the National Agency to Fight Against Trafficking in Persons and Illegal Migrant Transport's hotline so that the number of complaints related to children is known.	2013 – 2020
	Ensure victims of the worst forms of child labor are removed from exploitative situations as appropriate.	2010 – 2020

## MINIMAL ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Publish complete information on the number of criminal investigations conducted, violations found, penalties imposed, or penalties collected related to the worst forms of child labor.	2020
	Ensure that the Nigerien Supreme Court's ruling banning the practice of <i>wahaya</i> is enforced.	2019 – 2020
	Ensure that victims of slavery have access to reintegration services.	2020
Coordination	Ensure all coordinating bodies are able to carry out their intended mandates.	2011 – 2020
Government Policies	Publish activities undertaken to implement the Plan for Social and Economic Development, the National Social Protection Strategy, the UN Development Assistance Framework, and the Education and Training Sectorial Program during the reporting period.	2016 – 2020
	Adopt and implement a national action plan to combat child labor, including in hereditary slavery, mining, and agriculture.	2009 – 2020
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, increasing the number of teachers, and by providing more school supplies.	2013 – 2020
	Publish activities undertaken to implement Centers for the Prevention, Protection, and Promotion of Persons (CEPPP), and the UNICEF Country Program (2019–2021) during the reporting period.	2020
	Expand the scope of programs to address the worst forms of child labor, including in agriculture, herding, mining, and caste-based servitude.	2009 – 2020
	Implement a program to target and assist children exploited by religious instructors.	2011 – 2020
	Ensure that government social services providers have sufficient resources and facilities to provide the necessary care to all children withdrawn from hazardous and forced labor.	2015 – 2020

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In 2020, Nigeria made moderate advancement in efforts to eliminate the worst forms of child labor. The Nigerian Government continued to support the National Action Plan for Preventing and Countering Violent Extremism which helps end use and recruitment of child soldiers by identifying and formally separating children from armed groups, including 209 boys and 6 girls in 2020. In addition, the Nigerian Government hired over 400 new labor inspectors and enacted the National Social Behavioral Change Communication Strategy for Elimination of Child Labor in Nigeria (2020–2023). However, children in Nigeria are subjected to the worst forms of child labor, including in quarrying granite, artisanal mining, commercial sexual exploitation, and use in armed conflict, each sometimes as a result of human trafficking. The Child's Right Act has been adopted by only 25 out of Nigeria's 36 states, leaving the remaining 11 states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of child trafficking, commercial sexual exploitation, and illicit activities. In addition, the minimum age for work in the Labour Act does not apply to children who are self-employed or working in the informal economy.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Nigeria are subjected to the worst forms of child labor, including in quarrying granite, artisanal mining, commercial sexual exploitation, and use in armed conflict, each sometimes as a result of human trafficking. (1-5) Table 1 provides key indicators on children's work and education in Nigeria. 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	47.5 (Unavailable)
Attending School (%)	5 to 14	76.6
Combining Work and School (%)	7 to 14	39.9
Primary Completion Rate (%)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 5), 2016–2017. (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/cassava, cocoa, rice, and tobacco (2,8)
	Fishing, activities unknown (9)
	Herding livestock (8,10)
Industry	Mining and quarrying of granite and gravel (2,10)
	Artisanal gold mining and processing (1,8,10,11)
	Harvesting sand (11)
	Construction, including making bricks and carrying construction materials (2,8,10)
Services	Domestic work (2,8,10,12-14)
	Collecting money on public buses, washing cars, and automotive repair (8,10,12,13)
	Street work, including vending, begging, and scavenging (2,8,10,12,13)

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**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 (4,8,12,14,17)
	Forced labor in begging; domestic work; street vending; textile manufacturing; mining and quarrying gravel, granite, and artisanal gold; and labor in agriculture, including in cocoa; each sometimes as a result of human trafficking (4,8,10,14,18)
	Recruitment of children by non-state armed groups for use in armed conflict and in non-conflict support roles, sometimes as a result of human trafficking (10,19)

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

Rapid population growth in Nigeria is driving the “informal” education sector, with several million boys in the north going to Quranic schools known as “*Almajiri*.” The *Almajiri* system includes a component of child labor, with some teachers tasking older children with menial jobs and other children coerced into forced begging. (5,10) Furthermore, these children are highly vulnerable to recruitment by Boko Haram and ISIS West Africa (ISIS-WA), which continued to forcibly recruit and use child soldiers in combat and support roles, and as suicide bombers and concubines. (5) The government does not officially recognize these schools, and students attending *Almajiri* schools are officially considered out of school. In April 2020, the Northern Governors’ Forum of Nigeria unanimously agreed to return all *Almajiri* children to their respective states of origin across the region to stem the spread of COVID-19 and, as of July 2020, more than 40,000 children had been reunited with their families. (10,20)

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. (21) Girls from Nigeria are sent to North Africa and Europe for forced labor and commercial sexual exploitation. (22-25) Children from West African countries experience forced labor in Nigeria, including in granite and gold mines. (4,5,26)

Despite notable military advances and proclamations of Boko Haram’s defeat by government forces, the group remained a security threat, with escalating attacks by both Boko Haram and ISIS-WA forcing people out of Nigeria’s northeastern regions and new attacks occurring in the Northwest region. These attacks include a December kidnapping of more than 300 schoolboys from Kankara, a city in the northwest state of Katsina. (27-30) These attacks have contributed to the displacement of more than 2 million people, of which 56 percent were children. (30-32)

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. (8,10) When families experience economic hardship, the enrollment of boys is typically prioritized over the enrollment of girls. Other barriers to education include a lack of trained teachers, sexual harassment, inadequate sanitation facilities, poor infrastructure, and fear of abduction or attack by Boko Haram while at school, particularly for girls in the northeastern part of the country. (8,13,26,32,33)




Although there are no nationwide studies providing definitive information regarding the correlation between lack of identity documents and education, some children are not able to attend public schools because they lack birth certificates or other formal forms of identification. This is most common in the northeastern region and rural areas. (10)

Poverty is the main reason that many children do not attend school, and some parents are unable to afford fees, uniforms, and materials. In addition to the lack of funds, parents also need the children’s assistance in household chores and with caring for younger siblings. (10)

## 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	✓
 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 28–29 of the Child's Right Act (34,35)
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 (34,35)
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 (34-36)
Prohibition of Forced Labor	Yes		Sections 13, 22, 24 and 25 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 28 and 30 of the Child's Right Act (35,36)
Prohibition of Child Trafficking	No		Section 13 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 30 of the Child's Right Act (35,36)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 13–17 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Section 23 of the Cybercrimes Act; Sections 30 and 32 of the Child's Right Act (35-37)
Prohibition of Using Children in Illicit Activities	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act; Sections 25–26 and 30 of the Child's Right Act (35-37)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Armed Forces Act; Section 34 of the Child's Right Act (35,38)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	No		Section 19 of the Trafficking in Persons (Prohibition) Enforcement and Administration Act (36)
Compulsory Education Age	Yes	15	Sections 2 and 15 of the Education Act; Section 15 of the Child's Right Act (35,39)
Free Public Education	Yes		Sections 2 and 3 of the Education Act; Section 15 of the Child's Right Act (35,39)

\* No conscription (38)

The 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. However, only 25 of the 36 states have adopted and implemented the CRA, leaving the 11 remaining states in northern Nigeria with legal statutes that do not meet international standards for the prohibition of child trafficking and commercial sexual exploitation. In these 11 states, laws prohibiting child trafficking do not criminalize both domestic and international trafficking or trafficking for the purpose of forced labor and commercial sexual exploitation; the offering of a child for prostitution

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is not criminally prohibited; and there is no prohibition against the use of children in illicit activities. (35-37,40,41) Furthermore, the CRA upholds certain portions of the Labour Act that are not in compliance with international child labor standards. This includes Section 59, which sets the minimum employment age at age 12 in contradiction to the CRA, which only permits children under age 18 to engage in light work for family members. (34,35) The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (34,35,39)

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. (34,42) 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. (2,42) 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, which does not meet international standards. Furthermore, the minimum age protections in the Labour Act do not apply to children who are self-employed or working in the informal economy. (34,42) Lastly, children are not excluded from the Terrorism Prevention Act's penalty of life imprisonment for assisting in acts of terrorism. (43)

In early 2020, through the Accelerating Action for the Elimination of Child Labour in Supply Chains in Africa Project, a review was conducted to amend the Labour Standard Bill to include preventive measures against child labor, a federal-level declaration of the minimum age for employment, regulations for the conditions of work for children within the legal working age, and a review of penalty measures for engagement in child labor for persons and corporations. The new Labour Standard Bill is still waiting to be passed into law. (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 operations of enforcement agencies 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	Deploys labor inspectors across 36 state labor offices and the federal capital territory to enforce federal child labor laws. (8,31,44)
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. (8,14,31) Operates hotlines for victims in Abuja and each zonal command center. (21)
Nigeria Police	Enforce all laws prohibiting forced child labor and commercial sexual exploitation. Collaborate with NAPTIP on human trafficking enforcement. (8)
Nigeria Immigration Service	Collaborates with NAPTIP to enforce laws against child trafficking. (8)
State Taskforce Against Human Trafficking	Enforces the Edo State Trafficking in Persons Prohibition Law and 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. (26,45)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Nigeria took action to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Employment 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	2019	2020
Labor Inspectorate Funding	\$475,600 (46)	\$75,358 (10)
Number of Labor Inspectors	1,415 (46)	1,888 (10)
Inspectorate Authorized to Assess Penalties	Yes (34)	Yes (34)
Initial Training for New Labor Inspectors	Yes (46)	Yes (10)
Training on New Laws Related to Child Labor	N/A (46)	N/A (10)
Refresher Courses Provided	Yes (46)	Yes (10)
Number of Labor Inspections Conducted	15,643 (46)	9,877 (10)
Number Conducted at Worksite	15,643 (46)	9,719 (10)
Number of Child Labor Violations Found	3,937 (46)	3,422 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	147 (46)	88 (10)
Number of Child Labor Penalties Imposed that Were Collected	147 (46)	75 (10)
Routine Inspections Conducted	Yes (46)	Yes (10)
Routine Inspections Targeted	Yes (46)	Yes (10)
Unannounced Inspections Permitted	Yes (34)	Yes (34)
Unannounced Inspections Conducted	Yes (46)	Yes (10)
Complaint Mechanism Exists	Yes (46)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (46)	Yes (10)

Along with the challenges presented by the COVID-19 pandemic, enforcement of child labor laws remained an issue due to the decrease in funding and the lack of resources for inspections, including office facilities, transportation, fuel, and other necessities to carry out the number of inspections deemed necessary. In addition, research did not find mechanisms to enforce existing protections for children in the informal sector. (10,46,47)

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. (48,49)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Nigeria 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 the practice of detaining children associated with armed groups.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (10)
Refresher Courses Provided	Unknown	Yes (10)
Number of Investigations	467 (46)	381 (50)
Number of Violations Found	3,937 (46)	3,422 (10)
Number of Prosecutions Initiated	285 (46)	40 (50)
Number of Convictions	5 (46)	24 (50)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (46)	Yes (50)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (46)	Yes (10)

During the reporting period, 76 children were rescued and removed from forced child labor situations, and 24 of those were referred to social services. (10) In an official memo dated November 2020 from the Ministry of Defense, the government also stated that there were no children in military detention, and since the signing of the memo, children who have been rescued from Boko Haram camps pass through a de-radicalization process

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that is open to international observers and other interested parties. In 2020, the Civilian Joint Task Force, in conjunction with the UN, has also formally separated 215 children (209 boys, 6 girls) from armed groups and provided additional support for them. (10,51) These efforts were taken in response to past reports of abuse and exploitation within the military's detention system that had occurred in previous years. Several of these reports detail issues of prolonged detentions that were due to the lack of an official handover protocol to ensure the swift transfer of children affected by armed conflict from the custody of security actors to civilian child protection authorities for reintegration. (4,31,47,50,52)

### 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 the Ministry of Labor and Employment, and comprises representatives from seven governmental agencies, faith-based organizations, NGOs, ILO, and UNICEF. (8,10) Members are charged with leveraging resources for project implementation from their institutions and identifying synergies with other existing programs. (8,10)
State Steering Committee on the Elimination of Child Labor	Operates in the 36 Nigerian States and executes the provisions of the National Action Plan on the Elimination of Child Labour at the sub-national levels. During the reporting period, the State Steering Committee trained media practitioners from the public and private sector on the contents and implementation of the National Social Behavioural Change Communication Strategy. (10)
Inter-Ministerial Taskforce on Trafficking in Persons	Coordinates child labor issues related to human trafficking. Chaired by NAPTIP. The Inter-Ministerial Taskforce on Trafficking in Persons met on an ad hoc basis and helped develop national policies on human trafficking. (8)

In June 2020, the National Steering Committee, in coordination with the State Steering Committee, hosted a virtual commemoration of the 2020 World Day Against Child Labor. The objective was to gather support among Nigerians for government efforts at eliminating child labor. (10,53) Outcomes of this effort were the creation of sustained media awareness about child labor and effective mobilization of critical stakeholders in the fight against child labor. (10,53)

### 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 establishing a policy that covers all worst forms of child labor.

**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. During the reporting period, NAPTIP supported the work of civil society organizations to increase capacity, coordination, and service provision for countering trafficking in persons. (10,54) In addition, NAPTIP held a consultative forum with international donors, NGOs, and other stakeholders to help develop the 2021–2025 National Action Plan. That process is ongoing. (50,54)
National Social Behavioural Change Communication Strategy for Elimination of Child Labour in Nigeria (2020–2023)†	Combats child labor at the household and community levels through awareness-raising activities. The document was developed, reviewed, and validated for use by stakeholders during the reporting period. (10)
National Action Plan for Preventing and Countering Violent Extremism	Designed to end the recruitment and use of children by the Civilian Joint Task Force (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. (55-57) The UN and CJTF, with the support of the government, have identified and reintegrated more than 1,700 children since 2017, including 215 children (209 boys and 6 girls) in 2020. (10)

† Policy was approved during the reporting period.

‡ The government had other policies that may have included the goal of eliminating or preventing child labor. (10)

Since the signing of the National Action Plan for Preventing and Countering Violent Extremism, the UN has reported nearly no use of children by the Civilian Joint Task Force. The Nigerian military has responded to end the unlawful recruitment and use of child soldiers when isolated incidents are brought to their attention, with some military personnel participating in training programs on children and human rights. (10)

During the reporting period, a National Action Plan on the Elimination of Child Labor was drafted, with the goal of having a document similar to all regional and sub-regional policies and plan of actions on child labor. The document, which is awaiting validation and adoption, incorporated elimination of forced labor and modern slavery. (10)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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, along with referring victims to NGOs for additional care. (4,5,14) Shelters continued to operate during the reporting period. (4,5,14)
Safe Schools Initiative	Donor-funded program implemented by the government and international organizations that aims to improve access to education in northeastern Nigeria. (58) Research was unable to determine whether this project was active during the reporting period.
Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa (2018–2022)	ILO-sponsored regional project aimed at eliminating child labor in supply chains, with particular focus on those involved in the production of cocoa, coffee, cotton, gold, and tea. Collaborates with global supply chain actors working in Africa on public policy, good governance, empowerment, representation, partnership, and knowledge sharing. (59) During the reporting period, the project performed a legal review of child labor-related issues and assisted with events undertaken by the National and State Steering Committees. (10)
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. In Nigeria, the project has supported the collection of data on child labor and forced labor. (60) Additional information is available on the USDOL <a href="#">website</a> .
World Bank-Funded Programs	Projects 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 offers conditional cash transfers based on children's enrollment, and the Better Education Service Delivery for All (2017–2022), a \$611 million project that aims to increase access to education for out-of-school youth and improve literacy. (61–63) In 2020, the National Social Safety Nets Project continued working to enroll beneficiaries in 33 states across the country. To date, approximately 1.2 million poor or vulnerable households have been enrolled in the cash transfer program. (61) The Better Education Service Delivery for All project helped reduce the number of out-of-school children by 924,590, of which 633,772 were girls. (63)

† Program is funded by the Government of Nigeria.

The state ministries of education supported distance learning through radio programs that allowed limited formal education. Radio-based distance learning is a modality used to increase access to learning both for hard-to-reach areas and for vulnerable children with restricted access to in-school learning, and it is one of the primary means by which the educational community has addressed the continuation of learning throughout the Federal closure of schools in Nigeria due to the pandemic. (10) USAID supported distance learning in Adamawa, Bauchi, Borno, Gombe, Sokoto, and Yobe states during the pandemic-related school closures. (10)

In addition, USAID also issued a 5 year award entitled "Strengthening Civic Advocacy and Local Engagement (SCALE)." Working with the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters, this program will focus on countering trafficking in persons by supporting the work of civil society organizations to increase capacity, coordination, and service provision for countering trafficking in persons. (10)

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There are increasing concerns regarding the conditions in shelters housing human trafficking victims. These conditions include poor housing facilities, a lack of food, and insufficient stipends, along with reports of victims being held against their will for extended periods at shelters run by the National Agency for the Prohibition of Trafficking in Persons and Other Related Matters. (47,64)

In addition, research found no evidence of programs to address all relevant worst forms of child labor, including the use of children in armed conflict, quarrying granite, artisanal mining, 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 Nigeria (Table I I).

**Table I I. 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, and ensure that national legislation on the minimum age for work is consistent so that all children are protected, including those in the informal sector.	2012 – 2020
	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 – 2020
	Ensure that laws in all states criminalize both domestic and international trafficking or trafficking for the purpose of forced labor and commercial sexual exploitation.	2019 – 2020
	Criminalize the offering of a child for prostitution in all states.	2019 – 2020
	Ensure that using, procuring, and offering a child for the production and trafficking of drugs are criminally prohibited in all states.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that provisions related to light work conform to international standards.	2009 – 2020
	Amend the Terrorism Prevention Act to prohibit the punishment of children for their association with armed groups.	2016 – 2020
Enforcement	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2020
	Ensure that labor inspectors receive sufficient resources to enforce child labor laws.	2016 – 2020
	Ensure that a mechanism exists for enforcing existing protections for children working in the informal sector.	2009 – 2020
	Sign and implement a protocol to ensure the swift transfer of children affected by armed conflict from the custody of security actors to civilian child protection authorities for reintegration.	2020
	Ensure that there are penalties imposed for the worst forms of child labor.	2020
	Cease the practice of detaining children associated with armed groups for prolonged periods and refer these children to social services providers.	2016 – 2020
Coordination	Ensure that all coordinating bodies are active and able to carry out their mandates as intended.	2018 – 2020
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 – 2020
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 – 2020
	Make additional efforts to provide all children with birth documentation.	2020
	Ensure that there is an adequate number of trained teachers and provide sufficient educational infrastructure for children, particularly girls, to access schools.	2015 – 2020
	Conduct research to gather comprehensive data on child labor, including activities carried out by children working in fishing, to inform policies and programs.	2020
	Ensure that the National Agency for the Prohibition of Trafficking in Persons and related agencies provide appropriate facilities and resources to victims, and that victims are not held against their will in shelters.	2019 – 2020
	Establish programs that prevent and remove children from all relevant worst forms of child labor, including armed conflict, commercial sexual exploitation, and illicit activities.	2009 – 2020
	Ensure that all social programs are active and pursuing their mandates.	2020

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Although research found no evidence that child labor exists in Niue, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. 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. Table I provides one key indicator on children's education in Niue. Data on key indicators on children's work are not available from the sources used in this report.

**Table I. Statistics on Children's Work and Education**







Children	Age	Percent
Primary Completion Rate (%)		111.5

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (1)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Niue is self-governing in free association with New Zealand and is fully responsible for its internal affairs. (2,3) 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. (3) Niue has ratified one key international convention concerning child labor (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 has established laws and regulations related to child labor (Table 3). 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 3. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	No		Article 24 of the Niue Public Service Regulations (4)
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 (5)
Prohibition of Commercial Sexual Exploitation of Children	No		

## NO ADVANCEMENT

**Table 3. Laws and Regulations on Child Labor (Cont.)**

Standard	Meets International Standards	Age	Legislation
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 (6)
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 (7)
Free Public Education	Yes		Article 19 of the Education Act (7)

\* No conscription (8)

† No standing military (9)

Although Niue's Public Service Regulations prohibit the permanent employment of any person under age 18 in public service, a minimum age for work in the private sector has not been established. (4,10) Niue has not determined the types of work that are hazardous for children. The government also does not prohibit slavery or slavery-like practices such as forced labor. (11) Niue's human trafficking provision does not clearly criminalize domestic trafficking or the trafficking of children in the absence of force, fraud, or coercion. (5) In addition, the government does not criminalize the use, procuring, or offering of children for prostitution, pornography, or pornographic performances. Niue has also not criminalized the use of children in illicit activities, including in the production and trafficking of drugs. (10) Although there are no armed forces in Niue, the law does not criminally prohibit non-state armed groups from recruiting children under age 18. (10) New Zealand is responsible for Niue's defense at the territory's request and consultation. (6,9)

### 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. However, the Government of Niue has established relevant institutional mechanisms for the enforcement of laws and regulations on child labor (Table 4).

**Table 4. 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. (3)
Department of Justice	Investigates crimes, including cases involving the worst forms of child labor. (12)
Department for Community Affairs	Handles case intake and referral of children's matters to the Niue Police Department, including allegations of child labor. (3)

### 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 a mechanism to coordinate efforts related to child labor (Table 5).

**Table 5. 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. (3) Research was unable to determine whether the National Coordinating Committee was active during the reporting period.

### 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 6).

**Table 6. Key Policies Related to Child Labor**

Policy	Description
UN Pacific Strategy (2018–2022)	A multi-national 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. (13) Research was unable to determine whether activities were undertaken to implement the UN Pacific Strategy 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 7).

**Table 7. 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 – 2020
	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 employer's and workers' organizations.	2013 – 2020
	Ensure that laws criminally prohibit forced labor, including debt bondage, the sale and trafficking of children, and slavery.	2016 – 2020
	Ensure that laws criminally prohibit the trafficking of children domestically and internationally for commercial sexual exploitation and forced labor, and do not require the use of force, fraud, or coercion to be established for the crime of human trafficking.	2016 – 2020
	Ensure that laws criminally prohibit the use, procuring, and offering of a child for prostitution, the production of pornography, and pornographic performances.	2016 – 2020
	Ensure that laws criminally prohibit the use of children in illicit activities, including in the production and trafficking of drugs.	2013 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
	Ratify ILO C.182.	2019 – 2020
Coordination	Ensure the National Coordinating Committee is able to carry out its intended mandate.	2020
Government Policies	Publish activities undertaken to implement the United Nations Pacific Strategy during the reporting period.	2020

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Although research found no evidence that child labor exists on Norfolk Island, in 2020, the government made moderate advancement in efforts to prevent the worst forms of child labor. The Government of Australia adopted a new National Action Plan to Combat Human Trafficking and Slavery 2020–2025. The federal government also published a Modern Slavery Statement that discussed efforts to reduce child labor and human trafficking risks in federal government operations and procurement supply chains. However, Norfolk Island's laws do not set a minimum age for light work, which is not in compliance with international standards. In addition, the law does not specify activities in which light work may be permitted.




### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists on Norfolk Island. (1)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Norfolk Island is non-self governing and is included as part of the territory of the Australian Commonwealth. (1-3) Under the Acts Interpretation Act 1901 (Cth), all laws of the Commonwealth are applicable to Norfolk Island as if it were a part of mainland Australia. (4) The following conventions, which have been ratified by Australia, have therefore been extended 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	✓

Norfolk Island is subject to the laws and regulations related to child labor of the Commonwealth of Australia and some of the laws and regulations related to child labor of the state of New South Wales. Some laws specific to Norfolk Island also remain in force (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 light work.

**Table 2. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	15	Article 24 of the Employment Act 1988 (NI) (5)
Minimum Age for Hazardous Work	Yes	18	Sections 85 and 89 of the Work Health and Safety Regulation 2017 (NSW) (NI); Schedule 9 of the Norfolk Island Applied Laws Ordinance 2016 (6,7)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 85 and 89 of the Work Health and Safety Regulation 2017 (NSW) (NI); Schedule 9 of the Norfolk Island Applied Laws Ordinance 2016; List of High Risk Work Licenses (6-8)
Prohibition of Forced Labor	Yes		Sections 270.6 and 270.7 of the Criminal Code Act 1995 (Cth); Sections 270.6, 270.7, and 271.9 of the Crimes Legislation Amendment Act 2013 (Cth) (9,10)
Prohibition of Child Trafficking	Yes		Divisions 270 and 271 of the Criminal Code Act 1995 (Cth) (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 122 of the Criminal Code 2007 (NI); Sections 91A–G of the Crimes Act 1900 (NSW) (NI) (11,12)
Prohibition of Using Children in Illicit Activities	Yes		Divisions 309 and 310 of the Criminal Code Act 1995 (Cth); Sections 303–305 of the Criminal Code 2007 (NI) (9,11)



# Norfolk Island

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**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 (13)
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 Criminal Code Act 1995 (Cth) (9)
Compulsory Education Age	Yes	17	Section 21(B) of the Education Act 1990 (NSW) (NI); Schedule IAA of the Norfolk Island Applied Laws Ordinance 2016 (6,14)
Free Public Education	Yes		Section 31 of the Education Act 1990 (NSW) (NI) (15)

\* No conscription (13)

The Education Act 1990 (NSW) (NI) defines the compulsory education age as 17, or the age at which a child completes Year 10 of compulsory schooling. The law restricts employment for children who have not yet completed compulsory schooling, and allows children under age 17 who have completed Year 10 to engage in approved employment. (5,14)

The Employment Act 1988 (NI) does not set a minimum age for light work, which is not in compliance with international standards. In addition, the law does not specify activities in which light work may be permitted. (5) However, local authorities have reported that no children under age 15 are currently employed in Norfolk Island. (1)

### 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. (1,5)
Child Welfare Officers	Enforce laws prohibiting commercial sexual exploitation of children. Provide outreach and establish community programs to raise awareness about commercial sexual exploitation of children. (16)
Australian Federal Police	Enforce criminal laws related to the worst forms of child labor. (1,17) Oversee the Child Protection Operations Team, which coordinates and investigates online and multi-jurisdictional child sexual exploitation issues, including child pornography; and the Human Trafficking Teams, which investigate human trafficking for the purposes of transnational sexual and labor exploitation. (18,19)

#### **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

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
Inter-Departmental Committee (IDC) on Human Trafficking	Deals with child labor issues, including its worst forms, from a counter-trafficking perspective. Comprises 12 government agencies, including the Australian Federal Police, Department of Employment, and Department of Foreign Affairs, and is chaired by the Australian Border Force. (1,19) Includes an Operational Working Group subcommittee that meets monthly and refers emerging policy issues for IDC consideration. (1) In 2020, the IDC met twice in plenary sessions and held sub-group meetings at the operational level approximately every 6 weeks. The Committee's work during the reporting period focused on developing the updated National Action Plan to Combat Human Trafficking and Slavery 2020–2025. (1)

In June 2020, the Inter-Departmental Committee on Human Trafficking provided the Australian Government's first annual report to parliament on implementation of the Modern Slavery Act, which establishes requirements for businesses and organizations to report on efforts to reduce the risk of human trafficking and the worst forms of child labor in their supply chains. In December 2020, the government published its own Modern Slavery Statement that discussed efforts to reduce child labor and human trafficking risks in federal government operations and procurement supply chains. (1,20)

### V. GOVERNMENT POLICIES ON CHILD LABOR

As there is no evidence of a problem, there appears to be no need for government policies to address child labor. However, 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 2020–2025†	Sets five strategic priorities for addressing modern slavery, which the National Action Plan defines as trafficking in persons, slavery, slavery-like practices, and the worst forms of child labor. Priorities include: (a) prevention; (b) disruption, investigation, and prosecution; (c) support and protection for victims; (d) partnerships; and (e) research. (1,21)

† 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.

However, federal cash transfer programs for youth and families are available to residents of Norfolk Island. These programs were active in 2020 and may have assisted in preventing child labor on Norfolk Island during the reporting period. (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 Norfolk Island (Table 6).

**Table 6. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for light work to comply with international standards.	2020
	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2020

# Norfolk Island

## MODERATE ADVANCEMENT

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In 2020, North Macedonia made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Education and Science continued to hire additional educational mediators with the goal of removing barriers to education for the most vulnerable populations, including Roma children. Parliament also amended the Law on Labor Relations to increase fines on employers that fail to provide adequate protections to workers under age 18. In addition, the Ministry of Labor and Social Policy developed Action Plan 2020–2022 in accordance with the National Strategy to Protect Children from All Forms of Abuse. However, children in North Macedonia are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. The law’s minimum age protections do not apply to children who are self-employed or working outside formal employment relationships. Additionally, the government has not adopted a policy to address all worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in North Macedonia are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2,3,4) 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	18.8 (Unavailable)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	20.6
Primary Completion Rate (%)		93.4

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization’s analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 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, activities unknown (1,3,7)
Services	Street work, including vending small items, cleaning vehicle windshields, scavenging, and begging (3,7,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (3,7,9,10)
	Forced begging, sometimes as a result of human trafficking (3,8,10,11)
	Domestic work as a result of human trafficking (2,12,13)
	Forced labor as wait staff and dancers in restaurants, bars, and nightclubs (4,7,10)

‡ 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. The majority of children involved in street work are of the Roma, Balkan Egyptian, and Ashkali ethnicities. (3,8,10)

# North Macedonia

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Child trafficking victims in North Macedonia are usually girls, between the ages of 12 to 18, who have been subjected to domestic trafficking for commercial sexual exploitation and forced labor in restaurants, bars, and nightclubs. (3,7,14,15) Roma girls, especially, are victims of trafficking for forced marriages in which they are subject to sexual and labor exploitation. (3,10,11,16) Migrant children from Afghanistan, Bangladesh, Iran, Syria, Pakistan, and other states continued to transit through the country and were vulnerable to trafficking for labor and commercial sexual exploitation. (10,17-19)

The Ministry of Labor and Social Policy (MLSP), schools, and civil society organizations offer assistance to Roma children who have difficulty accessing education due to a lack of birth registration and identity cards, which are required for attending school in North Macedonia. (3) However, the government was unable to fully meet the educational needs of Roma children due to an ongoing shortage of qualified teachers who can provide instruction in Romani. (20)

## 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 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 42 of the Constitution; Sections 63 and 66–67 of the Labour Relations Act (21,22)
Minimum Age for Hazardous Work	Yes	18	Sections 63 and 66–67 of the Labour Relations Act (22)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Rulebook on the Minimum Occupational Safety and Health Requirements for Young Workers (23)
Prohibition of Forced Labor	Yes		Article 11 of the Constitution; Article 418 (c-d) of the Criminal Code (21,24)
Prohibition of Child Trafficking	Yes		Article 418 (c-d) of the Criminal Code (24)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 190–193-b of the Criminal Code (24)
Prohibition of Using Children in Illicit Activities	No		Article 12(3) of the Law on Child Protection (25)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 62 of the Law on Defense (26)



**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*		Article 62 of the Law on Defense (26)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 122, 322-a, and 404 of the Criminal Code (24)
Compulsory Education Age	Yes	16	Articles 4, 5, 47, 58 and 172 of the Law on Primary Education; Article 3 of the Law on Secondary Education (27,28)
Free Public Education	Yes		Article 44 of the Constitution (21)

\* No conscription (26)

During the reporting period, an amendment to Article 265 of the Law on Labor Relations increased fines on employers who signed contracts or otherwise enabled employment of young people against the stipulations of Section 63 of the Law, which indicates that minors should not perform strenuous physical labor (including underground or underwater work). (3,22) An amendment to the Labor Relations Act increased fines issued to employers who fail to provide proper protections to workers under age 18, in addition to those who employ minors under age 15 who are considered to be in ill health. (3) However, the minimum age for work does not comply 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. (3,20,22) 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. Additionally, the legal framework does not prohibit the use of children in illicit activities. (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 enforcement agencies 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)	Collaborates with the police and the Ombudsman's Office to conduct investigations and identify children living and working on the streets, and monitors cases of forced child labor through the Department of Social Inclusion. (29,7) Refers children to 30 Centers for Social Work throughout the country, which serve to counsel, educate, shelter, and assist children in need and victims of trafficking in persons. (29,30)
State Labor Inspectorate	Enforces labor law, including child labor laws, by conducting at least 60 targeted and complaint-based cases per month. Receives complaints of child labor from MLSP and refers cases of the worst forms of child labor to the Public Prosecutor. (3) 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)
Ministry of Interior (MOI)	Enforces laws related to hazardous child labor, 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. (3,4,7,15)
Public Prosecutor's Office	Prosecutes criminal law violations, including those involving the worst forms of child labor. (3) 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 Public Prosecutor's Office has eight prosecutors for child abuse cases. (13)
National Unit for the Suppression of Migrant Smuggling and Human Trafficking (NUSMSHT; also known as Anti-Trafficking in Persons Task Force)	Established by MOI and led by a public prosecutor. (3,4)

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North Macedonia's National Referral Mechanism enables law enforcement authorities and social services around the country to properly refer children found to be involved the worst forms of child labor, including forced child labor, child trafficking, and illicit activities. The National Referral Mechanism also allows civil society and government institutions to coordinate activities related to the protection, care, rehabilitation, and eventual reintegration of minor victims. (3)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in North Macedonia took actions to combat child labor (Table 6). However, gaps exist within the operations of the State Labor Inspectorate 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	2019	2020
Labor Inspectorate Funding	\$1,900,000 (7)	\$2,300,000 (3)
Number of Labor Inspectors	78 (7)	114 (3)
Inspectorate Authorized to Assess Penalties	Yes (7)	Yes (22)
Initial Training for New Labor Inspectors	Yes (7)	Yes (3)
Training on New Laws Related to Child Labor	No (7)	Yes (3)
Refresher Courses Provided	Yes (7)	Yes (3)
Number of Labor Inspections Conducted	11,749 (7)	15,944 (3)
Number Conducted at Worksites	11,749 (7)	15,944 (3)
Number of Child Labor Violations Found	1 (7)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (7)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (7)	N/A (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)

The Labor Inspectorate has an annual plan that determines the number of regular inspections to be conducted during the calendar year. (3) Unannounced inspections in all sectors are permitted, including on legally registered private farms. (7,31) Inspectors can also inspect private homes and farms with a valid warrant. (29)

In 2020, all labor inspectors received training on labor laws. The number of labor inspectors rose from 78 to 114, increasing the number of inspections conducted during the reporting period. (3) Although the Labor Inspectorate's funding also increased during the reporting period, some government officials indicated that it is an insufficient amount for training new labor inspectors. (3) In addition, a senior government official expressed concern that 60 percent of current inspectors will reach retirement age in the next 1 to 2 years. (3,7)

The MLSP lacks a central database to track labor investigations; however, inspection results are disseminated throughout relevant departments within the MLSP. (15)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (7)	No (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	Unknown	37 (3)
Number of Violations Found	4 (7)	37 (3)
Number of Prosecutions Initiated	4 (7)	29 (3)
Number of Convictions	Unknown	25 (3)
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 (7)	Yes (3)

In North Macedonia, legal requirements mandate that public prosecutors receive a 24-month general training, which includes the application of international legal standards. (15) Police investigators normally receive initial training, in addition to training when legislation changes. (1) In 2020, initial trainings on child labor were suspended for prosecutors, investigators, and expert associates from the Public Prosecutor's Office due to unfavorable conditions related to the COVID-19 pandemic. (3,4) During the reporting period, investigators and Public Prosecutor's Office representatives received specialized refresher training from the Anti-Trafficking in Persons Task Force, which also provided training on migrant smuggling and human trafficking to social workers, labor inspectors, NGOs, and civil society members. (7)

The "Red Button" Hotline is a Ministry of the Interior-operated website application to report child abuse, human trafficking, hate crimes, and violence. The hotline was created to improve identification and timely referral of human trafficking cases, especially among migrants. (3) However, research indicates that some local police were not aware of the specialized Anti-Trafficking in Persons Task Force, nor did they possess knowledge on handling trafficking in persons cases. The lack of a digital case management system within the Ministry of the Interior contributed to this, as local police did not have the ability to quickly transfer suspected human trafficking cases from their jurisdiction to relevant national authorities in a timely fashion. (3,4)

In 2020, three reports related to trafficking in persons were received and referred to the Anti-Trafficking in Persons Task Force for investigation, and government authorities identified six minor victims of trafficking. The Anti-Trafficking in Persons Task Force used Section 418-d of the Criminal Code to file criminal charges against two individuals suspected of child trafficking. (3,4) In addition, the Public Prosecutor's Office launched five investigations against individuals suspected of child trafficking for sexual exploitation. During the reporting period, sentences issued to those convicted of crimes related the worst forms of child labor ranged from suspended sentences to 9 years in prison depending on the severity of the violation. (3,4)

In 2020, criminal investigators operating in their home agencies had sufficient resources to carry out their duties. However, the Anti-Trafficking in Persons Task Force does not have separate funding or assets and lacks adequate equipment, vehicles, and office space, which hinders its efforts to perform investigations and meet the needs of identified victims. (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 human resources.

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

Coordinating Body	Role & Description
National Commission for Prevention and Countering Abuse and Neglect of Children	Led by MLSP in conjunction with the Ministries of Interior, Education and Science, Health, and Justice, UNICEF, and multiple NGOs around the country. (1,3) During the reporting period, the National Commission prepared the 2020–2022 Action Plan associated with the National Strategy for Prevention and Countering Abuse and Neglect of Children. (3)
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 MOI and under the direction of the National Anti-Trafficking in Persons Coordinator, with 14 representatives from 9 government institutions. (2,29) Includes five local committees, which implement local action plans, and 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. (2,7,12) During the reporting period, the Commission's local committees met frequently and communicated daily. (3) In addition, the National Commission prepared the first draft of the new Strategy and Action Plan for Combating Trafficking in Human Beings and Migrant Smuggling 2021–2026, which was expected to be submitted to the government for adoption in January 2021. (3)

North Macedonia maintains bilateral agreements to combat human trafficking with all of its neighboring countries. (4) Sources reported that the local committees overseen by the National Trafficking in Persons Commission needed to build their capacity to adequately combat human trafficking, including via better human resource allocation. (2,7)

## 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 policy that covers all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Strategy for the Fight Against Poverty and Social Exclusion (2010–2020)	Addressed social protection, social inclusion, health, education, and employment of children. (7) Aimed 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 MLSP. (7,32) During the reporting period, the policy continued to be implemented through the promotion of birth registration, street mobile patrols, and government payments to vulnerable populations. (3)
National Action Plan against Trafficking in Persons and Illegal Migration (2017–2020)	Focused on preventing human trafficking by reducing the vulnerability of at-risk populations, improving the identification of victims, and increasing efforts to combat human trafficking and forced child begging. (9,29,33) During the reporting period, MLSP financed the expenses of the Center for Victims of Human Trafficking, and the government awarded an additional grant of \$56,600, to the NGO Open Gate La Strada that provides services to victims of trafficking. (3)
National Action Plan for Education (2018–2025)	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 who, based on ethnicity, are enrolled in primary schools for children with special needs. (34) In 2020, increased inclusion of children from vulnerable groups in primary school by accommodating first-time and returnee students; also provided scholarships to vulnerable populations with a focus on Roma children who indicate interest in continuing their education in an underrepresented field. (3)
Action Plan for the National Strategy for Prevention and Countering Abuse and Neglect of Children (2020–2022)	Presents the vision, goals, and strategic approach of the government and the activities to be undertaken annually in the prevention and protection of children from all types of violence. Prepared by the National Coordination Body for Prevention and Protection of Children from Abuse and Neglect. (35) Representatives from MLSP and other ministries, as well as the UNICEF Skopje office and other civil society organizations, participated in the creation of the Action Plan. (3)

Although the Government of North Macedonia has adopted policies aimed at combating child trafficking and assisting children begging and working on the streets, research found no evidence of a policy on other worst forms of child labor. (36)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
MLSP-Operated and Funded Centers and Shelters†	MLSP operates and funds several programs, sometimes in coordination with NGOs, which provide support and services to victims of human trafficking and vulnerable populations such as street children. Provides extensive support for one day center for street children and funds another operated by an NGO to provide services, healthcare, and counseling to children working in the streets. (29,7) MLSP also funds the Center for Victims of Human Trafficking, a transit center for asylum seekers, and the MOI-operated Transit Center for Illegal Migrants. (7) In 2020, MLSP funded two temporary centers at the northern and southern borders of the country (Kumanovo and Gevgelija, respectively) for illegal migrants and children at border crossings. (3)
UNICEF Projects	Includes UNICEF partnerships 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. (15) Also includes the Program for the Protection of Children Against Violence (2016–2020), the UNICEF Country Program (2016–2020), and the Home for Every Child Program. (15,30,37,38) During the reporting period, MLSP and the Inter-municipal Center for Social Work of the City of Skopje, in cooperation with UNICEF, continued to support mobile teams established to track 41 newly-registered street children and work with their families to secure benefits from the government. (3)
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. (37,38) Aims to support the integration of Roma children by increasing the number of Roma children in preschool. (29,30) MLSP, MOI, and the Ministry of Justice are all part of the project work plan. (39) In 2020, the program continued to support Roma children by assisting their families with the school selection process, including ensuring access to schools with both Roma and Macedonian educators. (3)

† 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. (1,2,40-42)

During the reporting period, the Ministry of Education and Science continued to engage educational mediators for Roma students from economically disadvantaged families, along with those who have frequently spent time outside the formal education system. Thirty-five mediators from 28 municipalities worked with Roma children to reduce attrition rates and further strengthen ties between educators and Roma parents. (3) 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 for combating child labor. (3,36,43)

## 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 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
	Ensure that the law provides criminal penalties for the use, procuring, and offering of children for illicit activities, including in the production and trafficking of drugs.	2019 – 2020
Enforcement	Ensure that the Labor Inspectorate receives sufficient funding to train new inspectors.	2017 – 2020
	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 – 2020
	Provide sufficient funding for the Anti-Trafficking in Persons Task Force to carry out its duties to combat human trafficking.	2019 – 2020
	Ensure that law enforcement agencies proactively identify child trafficking victims.	2015 – 2020
Coordination	Build the capacity and resources of local committees to adequately combat human trafficking.	2018 – 2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as a national action plan on child labor.	2018 – 2020
Social Programs	Conduct research to determine the activities carried out by children engaged in child labor, including those in farming.	2013 – 2020
	Increase funding dedicated to combating child labor, and ensure that child beggars receive the support needed to be removed from the streets permanently.	2015 – 2020



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In 2020, Oman made moderate advancement in efforts to eliminate the worst forms of child labor. In December 2020, the Royal Oman Police stood up a dedicated counter-trafficking in persons unit for responding directly to reports of human trafficking and implementing anti-trafficking best practices within the Royal Oman Police. In August 2020, the Ministry of Labor created its own dedicated counter-trafficking in persons unit under its Inspection Department. In addition, the Ministry of Foreign Affairs established a specialized trafficking in persons office in March 2020. Although research is limited, there is evidence that small numbers of children in Oman engage in child labor, including in fishing and selling items in kiosks. Government policies do not address all forms of child labor and the Ministry of Labor is not represented on the National Committee on Implementing the United Nations Convention on the Rights of the Child or the National Child Protection Committee.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that small numbers of children in Oman engage in child labor, including in fishing and selling items in kiosks. (1-3) The law limits children's work to a family business. (4) Table I 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 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 (%)		100.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: Data were unavailable from ILO's analysis, 2021. (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, activities unknown (1,3)
	Fishing, activities unknown (1-3)
Services	Selling food items in kiosks, including fish† and grilled meat† (1)

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

On March 15, 2020, the Omani Government suspended in-person learning due to the COVID-19 pandemic. The Ministry of Education provided virtual learning to students while classroom learning was suspended. (3) The government built the capacity of more than 200 social workers and psychiatrists to provide social and psychological support to children during the pandemic, and disseminated virus-prevention awareness material, including videos in sign language. (7) The 2020–2021 school year began in November 2020 and the government continued to provide distance learning options for families and students who did not wish to return to the classroom. (3)




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Limited evidence suggests that children with disabilities may face barriers to accessing education because some school buses are not wheelchair accessible. In addition, the government has not allocated resources to enable relevant ministries and schools to provide equal educational services to intellectually disabled students. (8,9) However, the Ministry of Education continues to support schools and education programs for intellectually disabled students. These services accommodate students with special needs such as motor, sight, hearing, and mental disabilities. (7) Since 2005, the Ministry of Education has implemented a program to integrate students with special needs into primary schools. (7)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Oman 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 75 of the Labor Law (10)
Minimum Age for Hazardous Work	Yes	18	Article 76 of the Labor Law; Article 45 of the Child Law (10,11)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 76 of the Labor Law; Ministry of Manpower Order 217/2016 (10,12)
Prohibition of Forced Labor	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking; Article 3 <i>bis</i> of the Labor Law (10,13)
Prohibition of Child Trafficking	Yes		Articles 1–2 and 9 of the Law to Combat Human Trafficking (13)
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 (13,14)
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 (11,15)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Article 55 of the Child Law (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Article 55 of the Child Law (11)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 1(f) and 55 of the Child Law (11)
Compulsory Education Age	Yes	15‡	Article 36 of the Child Law (11,16)
Free Public Education	Yes		Article 13 of the Basic Law; Article 36 of the Child Law (11,17)

\* No conscription (18)

‡ Age calculated based on available information (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 enforcement agencies 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)	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. (19) In 2020, the government merged the Ministry of Manpower, Ministry of Civil Service, National Training Fund, and National Center for Employment to create the new MOL. (3) In addition, in August 2020, MOL created a dedicated counter-trafficking in persons unit under its Inspection Department. (3,7)
Ministry of Social Development (MOSD)	Enforces the Child Law, including by receiving complaints and referring cases to the Royal Oman Police and the Office of the Public Prosecutor. (19)
Royal Oman Police	Monitor and enforce the Child Law, including its provisions related to child labor; and refer cases to the Office of the Public Prosecutor. (19) In December 2020, the Royal Oman Police (ROP) stood up a dedicated counter-trafficking in persons unit for responding directly to reports of human trafficking and implementing anti-trafficking best practices within the ROP. (7)
Office of the Public Prosecutor	Prosecutes human trafficking and sexual exploitation cases in court with assistance from the Royal Oman Police. (19,20)
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. (19,21)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Oman took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor (MOL) that may hinder adequate labor law enforcement, including labor inspector refresher courses.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (22)	Unknown (3)
Number of Labor Inspectors	Unknown (22)	303 (7)
Inspectorate Authorized to Assess Penalties	Yes (10,11,23)	Yes (10,11,23)
Initial Training for New Labor Inspectors	Unknown (22)	Yes (7)
Training on New Laws Related to Child Labor	Unknown (22)	N/A
Refresher Courses Provided	Unknown (22)	Unknown (3)
Number of Labor Inspections Conducted	5,629 (4)	Unknown (3)
Number Conducted at Worksite	Unknown (22)	Unknown (3)
Number of Child Labor Violations Found	0 (22)	0 (3)
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 (22)	Yes (3)
Routine Inspections Targeted	Unknown (22)	Unknown (3)
Unannounced Inspections Permitted	Yes (22)	Yes (23)
Unannounced Inspections Conducted	Yes (22)	Yes (22)
Complaint Mechanism Exists	Yes (22)	Yes (22)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (22)

MOL conducts yearly inspections of all private institutions and re-inspections of workplaces found to be in violation of labor laws. Labor inspections are also conducted following a complaint. (24) If a violation is found, the institution is given a set period of time to address the problem. If an institution fails to address the violation, the case may be referred to the judiciary where penalties can be assessed. (24) In 2020, MOL responded to

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22,580 labor complaints and financial disputes. Labor authorities settled 9,057 cases and referred 7,602 cases to judicial authorities for adjudication, with 5,921 cases still pending. (7) MOL did not find any child labor violations in responding to these complaints. (7) Moreover, a MOL official stated in early 2020 that he had not reviewed an inspection report indicating child labor in over a decade of service. (3)

The government did not provide information on labor inspectorate funding, the exact number of labor inspections conducted or whether targeted inspections were conducted for inclusion in this report, but officials reported that the number of labor inspections surpassed 8,000. (7)

MOL can refer cases of child labor to the Ministry of Social Development (MOSD) if the child is under the minimum age for work. MOL and MOSD can also coordinate with the Royal Oman Police to shelter child victims and refer suspected violators for criminal investigation. (3)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (22)	Yes (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	Unknown (22)	Unknown (3)
Number of Investigations	0 (22)	0 (3)
Number of Violations Found	0 (22)	0 (3)
Number of Prosecutions Initiated	0 (22)	0 (3)
Number of Convictions	0 (22)	0 (3)
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 (22)	Yes (3)

In March 2020, the Ministry of Foreign Affairs established a specialized trafficking in persons office. (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 the omission of MOL from the National Child Protection Committee.

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

Coordinating Body	Role & Description
National Child Protection Committee	Consists of representatives from the Ministries of Social Development, Health, and Education and the Royal Oman Police. Oversees regional committees, which are responsible for coordinating intervention with children who are victims of abuse, neglect, or other related issues, and works with UNICEF on several projects related to child intervention. (3) MOL is not represented. (3) In the second quarter of 2020, regional child protection committees handled 179 cases of child abuse in Oman and placed victimized children in the MOSD-run protective services shelter in Muscat. (7)
National Committee on Implementing the UN Convention on the Rights of the Child	Led by the MOSD Under Secretary and consists of representatives from government and private organizations concerned with children's rights. Submits proposals to achieve the Convention's principles and follows up on the UN body's comments and recommendations. (7) MOL is not represented. (7) In 2020, the National Committee on Implementing the UN CRC participated in the first Gulf Cooperation Council conference on autism, organized workshops on child protection, and provided health, educational, and social services to children. (7)
National Committee for Combating Human Trafficking	Oversees the National Plan for Combating Human Trafficking. Includes the Royal Oman Police and 12 other state agencies, 2 more than the previous reporting period. (3,19) Active in 2020. (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
National Plan for Combating Human Trafficking (2018–2020)	Aimed 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 former Ministry of Manpower (consolidated along with other ministries into MOL in 2020), ROP, MOSD, and other agencies, to follow up on cases of human trafficking. (3,25) Established specialized human trafficking units in the Court of Appeals in Muscat and in the above-mentioned ministries. Regulated domestic work and allowed for inspection of homes upon receipt of complaints from domestic workers. (25) Provided annual training to government agencies and private companies on countering human trafficking. (25) In 2020, the Government of Oman funded training on human trafficking, identified and provided protective services to trafficking victims, and hosted a forum on Oman's efforts to combat human trafficking with labor-sending countries. (7)

Although the Government of Oman has adopted the National Plan for Combating Human Trafficking, it does not have a comprehensive policy to address all forms of child labor, including in farming and fishing.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor, which cover the main sectors in which 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. (21) Active in 2020. (3)

† Program is funded by the Government of Oman

## 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 labor inspectors, training, and number of labor inspections conducted.	2013 – 2020
	Ensure that refresher courses are provided for criminal investigators.	2019 – 2020
Coordination	Ensure that the Ministry of Labor participates in the National Child Protection Committee and the National Committee on Implementing the UN Convention on the Rights of the Child.	2016 – 2020
Government Policies	Develop a national policy to address all forms of child labor that occur within Oman, including in farming and fishing.	2013 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Ensure that all children have equal access to education, including children with disabilities.	2011 – 2020

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In 2020, Pakistan made moderate advancement in efforts to eliminate the worst forms of child labor. In February, the government formally constituted and appointed members to the National Commission on the Rights of the Child, which includes two representatives who are children. Additionally, in response to the fatal beating of an 8-year-old domestic worker by her employer, the Islamabad Capital Territory cabinet banned child domestic labor under age 14 in the capital territory. The Pakistani government also added domestic labor to the list of occupations defined as hazardous work prohibited for children under the Employment of Children Act 1991. Children in Pakistan are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. Children also engage in forced labor in brick kilns and agriculture. 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 labor inspectorates do not receive sufficient resources to adequately enforce laws prohibiting child labor, and the federal and provincial governments did not publicly release information on their labor and criminal law enforcement efforts. Further, police corruption, particularly the taking of bribes from suspected perpetrators to ignore child labor crimes and lack of willingness to conduct criminal investigations, hindered Pakistan's ability to address the problem throughout the country.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Pakistan are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced domestic work, each sometimes as a result of human trafficking. Children also engage in forced labor in brick kilns and agriculture. (1-5) Table I 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.

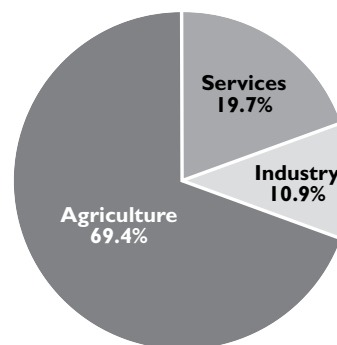
**Table I. Statistics on Children's Work and Education**

Children	Related Entity	Age	Percent
Working (% and population)	All Pakistan	10 to 14	9.8 (2,261,704)
	Punjab Province	5 to 14	12.4
	Sindh Province	5 to 14	21.5
Attending School (%)	All Pakistan	10 to 14	78.0
	Punjab Province	5 to 14	77.1
	Sindh Province	5 to 14	60.6
Combining Work and School (%)	All Pakistan	10 to 14	0.8
	Punjab Province	7 to 14	8.2
	Sindh Province	7 to 14	11.6
Primary Completion Rate (%)	All Pakistan		73.3
	Punjab Province		Unavailable
	Sindh Province		Unavailable

Source for primary completion rate: Data from 2019, published by the UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2017–2018; and Multiple Indicator Cluster Survey 5 (MICS 5), 2014. (7)

**Figure I. Working Children by Sector, Ages 10-14**



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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 (3,5,8,9)
	Fishing, including deep sea fishing (10,11)
Industry	Manufacturing glass bangles,† surgical instruments,† and jewelry (3-5,9,10,12-15)
	Weaving carpets,† producing garments, and tanning leather† (3,10,13,15,18-21)
	Producing bricks (1,3-5,15,19-24)
	Mining coal† and gemstones, and crushing stone† (10,19,22,25-27)
Services	Domestic work (2,4,5,28,29)
	Working in hotels, restaurants, gas stations, and automobile repair (3-5,19,21,30-33)
	Scavenging† and sorting garbage and recyclables, begging, and street vending (3,5,21,30,34-36)
Categorical Worst Forms of Child Labor‡	Forced labor in agriculture, brickmaking, carpet weaving, and coal mining (1,3,5,37-39)
	Forced domestic work, sometimes as a result of human trafficking (2,3,28,39)
	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (3-5,15,39-43)
	Forced begging, sometimes as a result of human trafficking (3,39)
	Recruitment of children by non-state armed groups for use in armed conflict (39)
	Use in illicit activities, including the trafficking and production of drugs (3,5,21,36)

† 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.

Pakistan consists of the Islamabad Capital Territory (ICT), which is governed by federal law, and four provinces—Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh—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. (44) When available, data and information are included for the federal and provincial governments in this report. In 2020, Pakistan's federal and provincial governments, with technical assistance provided by UNICEF, continued conducting nationwide child labor surveys. These surveys—the first conducted since 1996—are expected to address the lack of available child labor data that has hampered the federal and provincial governments' ability to accurately assess the scope and prevalence of child labor. (5,28) Due to delays related to the COVID-19 pandemic, these surveys are not expected to be completed before 2022. (5)

Many child domestic workers work under conditions of forced labor, including debt bondage, sexual assault, and extreme physical abuse. (2,3,28,29) Poor rural families sometimes sell their children into domestic servitude or other types of work, or pay agents to arrange for such work, often believing their child would work under decent conditions. Children are also kidnapped or sold into organized begging rings, domestic servitude, gangs, and child sex trafficking. (44,45) Reports estimate that around 70 percent of bonded laborers in Pakistan are children. (44,46) Some children work with their families as bonded laborers in the production of bricks. (3,4,24,38,39) Begging ringmasters sometimes maim children to earn more money or force children to steal, and organized criminal groups force children into drug trafficking in Sindh and Balochistan. Research has found that due to the consistent lack of law enforcement efforts against those who exploited street children, including in forced labor and sex trafficking, traffickers operated openly and with impunity. (3,39,44)

Research found that in Sindh, Punjab, and Balochistan, agriculture, brick kiln, fisheries, poultry, mining, construction, domestic labor, and carpet making industries oftentimes failed to follow labor laws with no or little government oversight. Small- and medium-size businesses—particularly those operated in private homes and not subject to inspections, such as shops, garages, and jewelry manufacturers—employed child labor. (47) Afghan, Iranian, and Pakistani children, particularly from Dalbadin and Quetta in Balochistan, are used in drug trafficking operations across the Iranian and Afghan borders with Balochistan, and in parts of Karachi. Children are also used in smuggling operations along the Afghan border with Khyber Pakhtunkhwa. (47)

Various factors can compound vulnerability to child labor, including: religious minority and caste status (marginalized minority communities, such as Christian and Hindu Dalits, are likely to be less educated, to lack land or other assets, and to be discriminated against by their surrounding communities, police, and judicial systems); and gender (women, including transgender women, are particularly vulnerable to sex trafficking). (47)




Child laborers in Pakistan, particularly boys, are frequently subjected to commercial sexual exploitation at their places of employment, including in factories, workshops, mines, or while scavenging on the streets. (48) They are also sometimes subjected to sexual exploitation in order to obtain or keep their jobs or accommodations. (39,48) Research indicates that in Kasur, a city in Punjab Province where sexual exploitation of children is considered to be among the highest in the country, 90 percent of working children under age 14 have been sexually harassed or exploited. (3,48,49) The practice of *bacha bazi*, in which boys are forced to provide social and sexual entertainment for older men, is a form of commercial sexual exploitation. Traffickers in Pakistan also promise Pakistani boys admission to Afghan religious schools only to sell them to Afghan security forces for the purpose of sexual exploitation. (39,50)

Children in Pakistan face several barriers to education. Of significant concern is the sexual abuse of children in Pakistan's *madrassas*—Islamic religious schools that provide free education and meals to Pakistan's poorest children. (49,51,52) There are more than 22,000 registered *madrassas* in the country, and an estimated 2,000–3,000 unregistered *madrassas*; sexual abuse in *madrassas* significantly hinders the ability of a large number of Pakistani children to attend school and receive an education. (49,51) In addition, non-state armed militant groups—Tehreek-e-Taliban Pakistan, its splinter groups, and ISIL-KP (ISIL Khorasan Province)—forcibly recruited and used children in terrorist activities, including suicide attacks. Further, while research found that the total number of terrorist attacks against schools have continued to decrease since 2009, schools in Pakistan may still be vulnerable to attacks by unknown armed groups, disrupting children's access to education. (3,9,15,39,44,45,53-58) The government operated a center in Swat, Khyber Pakhtunkhwa, to rehabilitate, educate, and reintegrate former child soldiers. (45) Many other children face barriers to accessing education, including high rates of teacher absenteeism, inadequate facilities, lack of transportation, school fees, and corporal punishment, which may deter children from attending school. (3,9,54,57,59,60) Lastly, while children are not legally required to have a birth certificate to enroll in public or private school, research indicates that some private schools may still require children to present their birth certificate to enroll. (3,44) Only 31 percent of births in Pakistan are officially registered. Children without a birth certificate who cannot enroll in school are at much higher risk of becoming victims of exploitative labor conditions. (61)

## 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	✓
	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 for hazardous work.



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**Table 4. Laws and Regulations on Child Labor**

Standard	Related Entity	Meets International Standards	Age	Legislation
Minimum Age for Work	Federal	No	14†	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 (62-65)
	Balochistan	No		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 (62-65)
	Khyber Pakhtunkhwa	No	14	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 (66-68)
	Punjab	Yes	14‡	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 (69-71)
	Sindh	No	14	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 (72-74)
Minimum Age for Hazardous Work	Federal	No	14	Sections 2–3 of the Employment of Children Act (75)
	Balochistan	No	14	Sections 2–3 of the Employment of Children Act (75)
	Khyber Pakhtunkhwa	Yes	18	Sections 2(1)(a) and 3(2) of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (66)
	Punjab	Yes	18	Section 3(2) of the Punjab Restriction on Employment of Children Ordinance (70)
	Sindh	Yes	18	Section 3(2) of the Sindh Prohibition of Employment of Children Act (74)
Identification of Hazardous Occupations or Activities Prohibited for Children	Federal	Yes		Parts 1–2 of the Schedule of the Employment of Children Act (75)
	Balochistan	Yes		Parts 1–2 of the Schedule of the Employment of Children Act (75)
	Khyber Pakhtunkhwa	Yes		Parts 1–2 of the Schedule of the Khyber Pakhtunkhwa Prohibition of Employment of Children Act (66)
	Punjab	Yes		Schedule of Hazardous Work of the Punjab Restriction on Employment of Children Ordinance (70)
	Sindh	Yes		Schedule of Hazardous Work of the Sindh Prohibition of Employment of Children Act (74)
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 (76-78)
	Balochistan	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 (76-78)
	Khyber Pakhtunkhwa	Yes		Sections 2(j) and 3 of the Khyber Pakhtunkhwa Bonded Labor System (Abolition) Act (79)
	Punjab	Yes		Section 11(3) of the Punjab Restriction on Employment of Children Ordinance; Section 4 of the Punjab Bonded Labor System (Abolition) Act (70,80)
	Sindh	Yes		Section 4 of the Sindh Bonded Labor System (Abolition) Act (81)
Prohibition of Child Trafficking	Federal	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g) and 3 of the Prevention and Control of Human Trafficking Ordinance (77,78,82)
	Balochistan	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g) and 3 of the Prevention and Control of Human Trafficking Ordinance (77,78,82)
	Khyber Pakhtunkhwa	No		Sections 2 and 52 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (83)
	Punjab	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g) and 3 of the Prevention and Control of Human Trafficking Ordinance (77,78,82)
	Sindh	No		Sections 3 and 7 of the Prevention of Trafficking in Persons Act; Sections 366A–366B of the Penal Code; Sections 2(g) and 3 of the Prevention and Control of Human Trafficking Ordinance (77,78,82)

**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)–292(C), 366A–366B, and 371A–371B of the Penal Code; Sections 2, 3, and 7 of the Prevention of Trafficking in Persons Act; Sections 377A and 292B of the Second Amendment to the Criminal Code (2016) (77,78,84)
	Balochistan	No		Sections 292(B)–292(C), 366A–366B, and 371A–371B of the Penal Code; Sections 2, 3, and 7 of the Prevention of Trafficking in Persons Act; Second Amendment to the Criminal Code, Section 377A, 292B (2016) (77,78,84)
	Khyber Pakhtunkhwa	No		Sections 2, 48, and 53 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (83)
	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 (70,85)
	Sindh	Yes		Section 14.1(b) of the Sindh Prohibition of Employment of Children Act (74)
Prohibition of Using Children in Illicit Activities	Federal	No		
	Balochistan	No		
	Khyber Pakhtunkhwa	No		Sections 35, 38, and 45 of the Khyber Pakhtunkhwa Child Protection and Welfare Act (83)
	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 (70,85)
	Sindh	Yes		Section 14.1(c) of the Prohibition of Employment of Children Act (74)
Minimum Age for Voluntary State Military Recruitment	Federal	Yes	18	Section 3 of the National Service Ordinance (86)
Prohibition of Compulsory Recruitment of Children by (State) Military	Federal	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Federal	No		
	Balochistan	No		
	Khyber Pakhtunkhwa	No		
	Punjab	Yes		Section 11(3)(a) of the Punjab Restriction on Employment of Children Ordinance (70)
	Sindh	Yes		Section 14.1(c) of the Prohibition of Employment of Children Act (74)
Compulsory Education Age	Federal	Yes	16	Section 3 of the Right to Free and Compulsory Education Act (87)
	Balochistan	Yes	16	Section 3 of the Balochistan Compulsory Education Act (88)
	Khyber Pakhtunkhwa	Yes	16	Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (89)
	Punjab	Yes	16	The Punjab Free and Compulsory Education Ordinance (90)
	Sindh	Yes	16	Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (91)
Free Public Education	Federal	Yes		Section 3 of the Right to Free and Compulsory Education Act (87)
	Balochistan	Yes		Section 2(f) of the Balochistan Compulsory Education Act (88)
	Khyber Pakhtunkhwa	Yes		Section 3 of the Khyber Pakhtunkhwa Free Compulsory Primary and Secondary Education Act (89)
	Punjab	Yes		The Punjab Free and Compulsory Education Act (90)
	Sindh	Yes		Section 3(1) of the Sindh Right of Children to Free and Compulsory Education Act (91)

\* No conscription (86)

† The minimum age for work in shops and establishments is 14 years old. The minimum age for work in factories and mines is 15 years old. (62-64)

‡ The minimum age for work in brick kilns is 14 years old. The minimum age for work in domestic work is 15 years old. (69,71)

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The Eighteenth Amendment to the Pakistani Constitution permits provinces to pass laws that govern labor law and children's welfare. (92,93) Federal law applies only until the province passes a law on the same subject. (28,92)

In response to an employer's fatal beating of an 8-year-old girl she was illegally employing as a domestic worker, the ICT cabinet banned child domestic labor in the capital territory – the government added child domestic labor to the list of occupations defined as hazardous work prohibited for children under the Employment of Children Act 1991. (5,47,94,95, 145) In 2019, the Pakistan National Assembly passed the ICT 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; would prohibit the employment of children ages 15 to 18 in hazardous work; and would establish a hazardous work list prohibited for children. However, the Senate had not yet approved the bill at the close of the reporting period. (3,96)

In 2020, the Balochistan provincial cabinet approved legislation aimed at protecting laborers, particularly children, through the Elimination of Bonded Labor and Rehabilitation of Victims of Bonded Labor Bill 2020. (5) In addition, in September 2020, Balochistan's cabinet approved the Balochistan Employment of Children Prohibition and Regulation Bill 2021, which would set the minimum age for hazardous work at age 18, would allow for light work for children ages 12 to 14, and also would prohibit the work of children under the age of 18 in mines. (97-99) However, this bill does not list the activities in which light work may be permitted, nor does it specify the conditions in which light work may be undertaken or limit the number of hours for light work. Neither of these bills had been enacted as law at the close of the reporting period.

On January 12, 2021, the Pakistani Government approved implementation rules for the Prevention of Trafficking in Persons Act and the Prevention of Smuggling of Migrants Act, which were signed into law in 2018. Among other things, the statutes do not require proof of force, fraud, or coercion in the case of sex trafficking for minors. (47,78)

Some of Pakistan's federal and provincial laws are not in compliance with international standards on child labor. The federal minimum age for work provisions and the minimum age for work laws in Balochistan, Khyber Pakhtunkhwa, and Sindh Provinces are not in compliance with international standards because they do not extend to informal employment, such as household work. (62-66,68-74) The federal government's minimum age for hazardous work is currently age 14, which does not comply with international standards. (75) The federal minimum age for hazardous work still applies in Balochistan Province, as Balochistan has not established a minimum age for hazardous work. (28,75,100)

Hazardous work prohibitions for the federal government and the four provinces do not cover brickmaking, for which there is evidence that children are exposed to environmental health hazards. Hazardous work prohibitions for the federal government and every province except Punjab do not cover domestic work, for which there is evidence that children are exposed to physical abuse. (19,54,94,101) Although laws in Khyber Pakhtunkhwa, Punjab, and Sindh Provinces prohibit children under age 18 from working in underground mines or above-ground quarries, federal law—which also still applies in Balochistan—does not prohibit children ages 15 to 18 from working in mines. There is evidence that children in Balochistan are engaged in coal mining, which involves exposure to hazardous substances, work underground, and lethal accidents. (25,26,64,66,69,74,96,100)

Federal law, which also applies in all the provinces except Khyber Pakhtunkhwa, does not comply with international standards on child trafficking, as it does not omit the requirement of force, fraud, or coercion as elements of the crime. (77,78,82) Khyber Pakhtunkhwa Province's human trafficking law also requires the additional element of kidnapping, coercion, or receipt or giving of a benefit. (83)

Federal law, which also applies in Balochistan, does not prohibit the use of children for prostitution or the procuring and offering of children in commercial sexual exploitation, nor does Khyber Pakhtunkhwa's law. (77,78,83,84) Federal and provincial laws, with the exception of Punjab and Sindh Provinces, do not prohibit the use of children in drug production and drug trafficking. (70,74,83) The federal and provincial governments,

with the exception of Punjab and Sindh Provinces, have not enacted laws that prohibit the recruitment and use of children by non-state groups for armed conflict. (11,66,70)

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. (66,87-91)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

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

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Provincial and Regional Police	Enforce violations of federal and provincial laws concerning the worst forms of child labor, including the Pakistan Penal Code, Prevention of Trafficking in Persons Act, and the Bonded Labor System (Abolition) Act (BLSA). Refer children taken into custody to Child Protection Officers. (11,102)
Provincial Labor Inspectors	Inspect industrial areas and markets to identify child labor violations, enforce provincial labor laws, and pursue legal action against employers. (11)
Federal Investigation Agency (FIA), 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. (3,4,9,39) Operates under the Ministry of Interior. (4) In 2020, the FIA transitioned from a paper-based system to a computerized case management system, allowing efficiencies in data collection and information sharing. (47)
Labor Courts	Assess penalties for labor violations. Located in each province and the Islamabad Capital Territory (ICT). (3,44,103-105)
District Vigilance Committees	Implement the BLSA and assist in rehabilitating bonded laborers via monitoring bodies. Consist of members of the public, civil society groups, lawyers, members of the media, and local government officials and report to the District Magistrate. (11,39,44,76) Exist in Punjab, Sindh, and the ICT, but not in Balochistan and Khyber Pakhtunkhwa Provinces. (44)
Child Protection Units (CPUs)	Take into custody at-risk children, including those rescued from exploitative labor situations. Present cases of children taken into custody to the Child Protection Court or the appropriate authority. Established in Punjab, Khyber Pakhtunkhwa, and Sindh Provinces. (83,85,106-109)

District Vigilance Committees (DVCs) are functioning in all of Punjab Province's 36 districts (conducting 259 meetings during the reporting period), and in 29 districts in Sindh Province (only 9 DVCs convened and none met regularly). (39,44,106) However, research has found that though the Bonded Labor System (Abolition) Act (BLSA) mandated the creation of DVCs in each province to ensure implementation of the BLSA, including reporting and filing cases, the government relied on bonded labor victims to have knowledge of the BLSA, proactively leave their landowners, and file their own cases in the court. Even when bonded laborers did so, the courts either did not act on such claims or handled them administratively, and, as a result, human trafficking victims who came forward often faced retaliation from their exploitative employers. (39)

In August 2020, Khyber Pakhtunkhwa opened the first child protection court of the newly merged districts of the former Federally Administered Tribal Area, bringing the province's total to four. These courts specifically address crimes against children, including abuse, neglect, and exploitation. (47)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Pakistan took actions to combat child labor (Table 6). However, gaps exist within the operations of the provincial labor departments that may hinder adequate labor law enforcement, including authority to assess penalties.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	Related Entity	2019	2020
Labor Inspectorate Funding		Unknown (3)	Unknown (5)
Number of Labor Inspectors	Federal	Unknown (3)	Unknown (5)
	Balochistan	Unknown (3)	59 (5)
	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
	Punjab	80 (3)	102 (110)
	Sindh	120 (3)	120 (5)
Inspectorate Authorized to Assess Penalties	Federal	Unknown	Unknown
	Balochistan	Yes (3)	Yes (5)
	Khyber Pakhtunkhwa	Yes (3)	Yes (5)
	Punjab	Yes (3)	Yes (5)
	Sindh	Yes (3)	Yes (5)
Initial Training for New Labor Inspectors	Federal	Unknown (3)	Yes (5)
	Balochistan	No (3)	Yes (5)
	Khyber Pakhtunkhwa	No (3)	Yes (5)
	Punjab	Yes (3)	Yes (5)
	Sindh	Yes (3)	Yes (5)
Training on New Laws Related to Child Labor	Federal	Yes (3)	N/A
Training on New Laws Related to Child Labor	Balochistan	Unknown	Unknown
Training on New Laws Related to Child Labor	Khyber Pakhtunkhwa	Unknown	N/A
Training on New Laws Related to Child Labor	Punjab	Yes (3)	N/A
Training on New Laws Related to Child Labor	Sindh	Unknown	Unknown
Refresher Courses Provided	Federal	Yes (3)	Unknown (5)
Refresher Courses Provided	Balochistan	Unknown	Unknown
Refresher Courses Provided	Khyber Pakhtunkhwa	Unknown	Unknown (5)
Refresher Courses Provided	Punjab	Yes (44)	Unknown (5)
Refresher Courses Provided	Sindh	Unknown	Unknown
Number of Labor Inspections Conducted	Federal	Unknown (3)	Unknown (5)
	Balochistan	Unknown (3)	Unknown (5)
	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
	Punjab	Unknown (3)	29,289 (5)
	Sindh	Unknown (3)	Unknown (5)
Number Conducted at Worksites	Federal	Unknown	Unknown
Number Conducted at Worksites	Balochistan	Unknown	Unknown
Number Conducted at Worksites	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
Number Conducted at Worksites	Punjab	Unknown (3)	Unknown (5)
Number Conducted at Worksites	Sindh	Unknown	Unknown
Number of Child Labor Violations Found	Federal	Unknown (3)	Unknown (5)
	Balochistan	Unknown	Unknown
	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
	Punjab	940 (44)	1,771 (5)
	Sindh	Unknown (3)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Federal	Unknown (3)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Balochistan	Unknown	Unknown
Number of Child Labor Violations for Which Penalties Were Imposed	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Punjab	Unknown (3)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Sindh	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Federal	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Balochistan	Unknown	Unknown
Number of Child Labor Penalties Imposed that Were Collected	Khyber Pakhtunkhwa	Unknown (3)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Punjab	Unknown (3)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	Sindh	Unknown	Unknown



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

Overview of Labor Law Enforcement	Related Entity	2019	2020
Routine Inspections Conducted	Federal	Unknown	Unknown (5)
	Balochistan	Yes (3)	Yes (5)
	Khyber Pakhtunkhwa	Yes (3)	Yes (5)
	Punjab	Yes (3)	Yes (5)
	Sindh	Yes (3)	Yes (5)
Routine Inspections Targeted	Federal	Unknown	Unknown
Routine Inspections Targeted	Balochistan	Unknown	Unknown
Routine Inspections Targeted	Khyber Pakhtunkhwa	Unknown	Unknown (5)
Routine Inspections Targeted	Punjab	Unknown	Yes (5)
Routine Inspections Targeted	Sindh	Unknown	Unknown
Unannounced Inspections Permitted	Federal	Yes (3)	Yes (5)
	Balochistan	Yes (3)	Yes (5)
	Khyber Pakhtunkhwa	Yes (3)	Yes (5)
	Punjab	Yes (3)	Yes (5)
	Sindh	Yes (3)	Yes (5)
Unannounced Inspections Conducted	Federal	Unknown	Unknown
Unannounced Inspections Conducted	Balochistan	Unknown	Unknown
Unannounced Inspections Conducted	Khyber Pakhtunkhwa	Unknown	Unknown (5)
Unannounced Inspections Conducted	Punjab	Unknown	Yes (5)
Unannounced Inspections Conducted	Sindh	Unknown	Unknown (5)
Complaint Mechanism Exists	Federal	Unknown	Unknown
	Balochistan	Yes (3)	Yes (5)
	Khyber Pakhtunkhwa	Yes (3)	Yes (5)
	Punjab	Yes (3)	Yes (5)
	Sindh	Yes (3)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Federal	Unknown	Unknown
	Balochistan	Unknown	Unknown
	Khyber Pakhtunkhwa	No (3)	No (5)
	Punjab	No (3)	No (5)
	Sindh	Unknown	Unknown

Pakistan's provinces are responsible for enforcing labor laws, including those relevant to child labor law. (11) Provincial labor departments collect comprehensive data on labor law enforcement at the district level. However, there is neither a centralized federal repository for the data nor any regular mechanism for reporting it to the federal government; therefore, limited labor inspection data were available for inclusion in this report. (9) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Pakistan would need to employ roughly 4,259 labor inspectors as its workforce consists of over 64 million workers. (116-118)

Provincial labor inspectorates do not receive sufficient resources, a shortfall that may hamper labor inspectors' ability to inspect workplaces. For example, labor departments in Khyber Pakhtunkhwa, Punjab, and Sindh Provinces did not provide funds to cover the cost of transportation to conduct inspections. (3,9) Furthermore, while labor inspectors do receive some initial training depending on their assigned province, this training is insufficient, as there is very little information provided that is specific to child labor issues and laws. (3,19,102,119,120) In addition, labor inspectorates sometimes failed to conduct inspections of worksites owned by influential citizens. For instance, coal mines in Balochistan that are owned by influential politicians who oversee mine regulations operated with impunity, increasing risks of child labor. (27) Also, labor inspectors in Punjab reportedly do not inspect private farms owned by influential landlords for child or bonded labor. (47)

In February 2020, the Lahore High Court directed the Punjab Labor Department to ensure within 6 months registration of all brick kilns under the Factories Act (1934), and thereby increase government visibility over brick kilns to curb bonded and child labor—specifically, the court ordered the labor department to ensure that

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no kilns had child workers under the age of 14, every worker had a written contract, employers kept detailed registers of advances, and regularly paid into workers' social security funds, as federally mandated. (39,47) In response, the Punjab Labor Department conducted a census of brick kilns in the province and the results are publicly available through an online portal. (47) Research has found that a series of surprise brick kiln inspections conducted by Punjabi labor authorities in 2020 resulted in prosecutions of 3,953 brick kilns for bonded labor violations, with Punjab labor inspectors filing First Information Reports (FIRs) against 23 employers for child labor and minimum wage violations (indicators of bonded labor). (39,47) Research has also found that many violators received fines, and their kilns were permitted to re-open following payment of the fines. Some kiln owners allegedly avoided prosecution by bribing the inspectors; other cases remain pending in the court system. (121)

However, a majority of the estimated 18,000 kilns in Pakistan continued to operate without registration and required benefits for workers, particularly those ages 14 to 18. (39)

### **Criminal Law Enforcement**

In 2020, 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 reports of corruption and indifference on the part of investigative officials.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (5)
Refresher Courses Provided	Unknown (3)	Unknown (5)
Number of Investigations	Unknown (3)	Unknown (5)
Number of Violations Found	Unknown (3)	Unknown (5)
Number of Prosecutions Initiated	Unknown (3)	Unknown (5)
Number of Convictions	Unknown (3)	Unknown (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (3)	No (5)

The federal and provincial governments do not publish data on efforts to enforce criminal laws prohibiting the worst forms of child labor; it is unknown whether investigations, prosecutions, or convictions were undertaken or achieved for child labor crimes in 2020. (5) While training is provided to new criminal investigators, the training is inconsistent across Pakistan, and the training might not include information on child labor, child trafficking, or sexual exploitation of children. (3)

Police corruption—particularly the taking of bribes from suspected perpetrators to ignore alleged crimes or police refusing to open investigations without bribes—continued to hamper Pakistan's ability to eliminate child labor, especially in the brick kiln industry, coal mining, factories, street scavenging, and cases related to the sexual abuse of children in *madrassas*. Some police and other local officials, for instance, colluded with farm and brick kiln owners to create falsified criminal cases against individuals who attempted to escape from situations of bonded labor. (47) In addition, children, parents, or family members who report child labor incidents often lack faith that police will act in pursuit of justice. (24,27,39,48,49,51,122) Police sometimes acted indifferently to reports of child labor or sexual exploitation, pointing to cultural differences as a rationale for abuse. Further, some police reportedly fear being accused of blasphemy by religious clerics if they take action against the sexual abuse of children in *madrassas*. (24,51,122)

## **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
National Commission on the Rights of the Child (NCRC)*	Coordinates efforts relating to child rights, including reviewing proposed legislation, liaising with provincial commissions, recommending policy, reviewing programs, and promoting awareness of child rights, among other functions. (123) In February 2020, the NCRC was formally constituted and its members appointed. (5) In addition to representatives from the provinces, includes two children as members. (123)
Inter-Agency 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 FIA anti-trafficking units that work with provincial and district police officers to monitor and combat domestic and transnational human trafficking. (124) Maintains an Integrated Border Management System to track entries and exits. (3,106) Research has found that the Inter-Agency Task Force members' interceptions of suspected migrants and trafficked persons decreased during the reporting period. (47)
Provincial and Federal Tripartite Consultative Committees	Advise on the enforcement of labor laws, including child labor laws, and monitor the functioning of labor departments at the provincial level. Monitor the implementation of the provinces' proposed interventions on child and forced labor at the federal level. (125) While the Punjab commission met during the reporting period, research was unable to determine whether any substantive progress was made towards enhancing coordination. (5)
Child Protection Bodies	<p><b>Balochistan Child Protection Commission:</b> 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. (109)</p> <p><b>Khyber Pakhtunkhwa Child Protection and Welfare Commission:</b> 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. (83) Led by the province's Social Welfare, Special Education and Women Empowerment Department. (126) The Khyber Pakhtunkhwa Child Protection and Welfare Commission did not hold its quarterly meetings in 2020 and has been without a commissioner for 3 years. (5)</p> <p><b>Punjab Child Protection and Welfare Bureau:</b> Coordinates the protection of destitute and neglected children by appointing child protection officers, supervising CPUs, 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. (85) During the reporting period, the Punjab Child Protection and Welfare Bureau operated open reception centers to identify and register children living on the street, and identified and assisted 8,114 children. (39)</p> <p><b>Sindh Child Protection Authority:</b> Coordinates efforts to ensure the rights of children in need of special protection, including child laborers, by establishing CPUs and appointing child protection officers. Reviews and proposes amendments to existing laws and monitors the implementation of laws relevant to the protection of children. Headed by the provincial minister; members include two parliamentarians, lawyers, social activists, and representatives from departments that deal with children's issues. (108) The Sindh Child Protection Authority has been active in preventing underage marriages throughout Sindh. It has a helpline 1121 that receives complaints on child protection-related issues and refers the cases to relevant departments and officers. (121) The helpline has been used to track and reunite missing children with their families, in many cases at inter-provincial levels. It has also dealt with complaints about child beggary and corporal punishment. (121) The Sindh Child Protection Authority also conducted online trainings for child counselors. Other sessions and trainings have been conducted on raising awareness on child rights related laws across Sindh. (121)</p> <p><b>Provincial CPUs:</b> Take into custody at-risk children, including those rescued from exploitative labor situations. Present cases of children taken into custody to the Child Protection Court or the appropriate authority. Coordinate and initiate interventions against child labor at the provincial level. (125) Each CPU is led by a Child Protection Officer and supported by social workers and psychologists; operates under the District Administrator. (44) Provincial CPUs were active in Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa, and identified and referred children in exploitative or vulnerable labor situations to NGO and government care. (39) Khyber Pakhtunkhwa established 2 new CPUs during the reporting period, for a total of 14. With an international organization, Balochistan established its first CPU during the reporting period. (39)</p>
Child Protection Advisory Board	Coordinates ICT's implementation of the Child Protection System Act of 2018, including advising the government on implementing laws and policies, maintaining a case management system, and ensuring that a child protection mechanism is functioning. Chaired by the Secretary of the Division of Child Protection and comprises high-level government officials, plus an NGO representative, a social science expert, an Islamabad High Court Bar Association representative, and one person representing minorities. (3,127) In 2020, the Child Protection Advisory board launched an awareness campaign on child begging and held a meeting in September. (5,128,129)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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In 2020, the National Assembly constituted the Uplift and Mainstreaming of Street Children and Bonded Labor Task Force, which will discuss ways to remove children from street work and bonded labor and provide them with education and health services. (5) Khyber Pakhtunkhwa has 12 Child Protection Units (CPUs); however, none was active during the reporting period due to a lack of finances and child protection officers. Balochistan established 1 CPU in Quetta; however, they have not yet instituted the remaining 33 CPUs despite passing legislation in 2016 to establish units in each district. (39,44,47)

## 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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Khyber Pakhtunkhwa Labor Policy	Seeks to gradually eradicate child labor, collect child labor statistics, enforce the compulsory education law, assist children through referral mechanisms, educate families and key stakeholders about the negative effects of child labor, and collaborate with organizations to research and develop solutions to eliminate child labor. (130) Research was unable to determine whether activities were undertaken to implement the Khyber Pakhtunkhwa Labor Policy during the reporting period.
Punjab Labor Policy	Seeks to improve working conditions, eradicate child and bonded labor, and establish social safety for workers and their families. Includes the goal of ending all child labor in brick kilns, in addition to the construction of schools, hospitals, and residences for workers. (131) Research was unable to determine whether activities were undertaken to implement the Punjab Labor Policy during the reporting period.
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. (132) In the past, research found that labor inspectors were not provided funding to travel outside of major cities to conduct inspections and were repeatedly denied access to inspect factories by owners. (3) Research was unable to determine whether activities were undertaken to implement the Sindh Labor Policy during the reporting period.

Research was unable to determine whether the provincial or federal governments have educational policies and, if so, whether such policies include child labor elimination and prevention strategies. (133-136)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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. (137,138) In October 2020, Pakistan Bait-ul-Mal signed a Memorandum of Understanding with United Bank Limited to start making digital payments to project participants through an electronic biometric verification system. (139)
Hotlines	FIA operates a 24/7 hotline to combat human trafficking, including child trafficking, in Pakistan at the headquarters, ICT, and district levels. (4,106) The Ministry of Human Rights also operates a helpline for reporting human rights violations, including child labor violations, and for providing referrals to legal aid and a network of NGOs to victims of human rights abuses. (47,106) In 2020, the Ministry of Human Rights launched a helpline smartphone app, and actively promoted it on social media and traditional media. (47) The Punjab Child Protection and Welfare Bureau and Sindh Social Welfare Department operate helplines for children subjected to exploitation, violence, abuse, and neglect. The Sindh Social Welfare Department operates a 24-hour helpline for child protection. (47)

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

Program	Description
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 broaden the knowledge base on these issues. (140-142) Research has found that no progress was made during the reporting period to implement this project. (121)
ILO-Funded Projects	<p>ILO projects in Pakistan that aim to eliminate child labor by improving the capacities of the federal and provincial governments to develop strong monitoring mechanisms and strengthen data collection strategies.</p> <p>The Asia Regional Child Labor (ARCL) Program (2019–2023), funded by the UK's Foreign Commonwealth and Development Office, aims to assist stakeholders to eliminate child labor to achieve Sustainable Development Goal (SDG) 8.7 by 2025. Identified three priority sectors for conducting qualitative research and creating advocacy tools: automobiles, domestic work, and brick kilns. During the reporting period, the ARCL Program was in its inception phase, conducting planning activities and consultative sessions with relevant stakeholders. (99)</p> <p>The Eliminating Child Labor and Forced Labor in the Cotton, Textile and Garment Value Chains (Clear Cotton) project (2018–2022) is co-funded by the EU. It focuses on the cotton production hubs of Sindh and Punjab, seeks to promote enhanced federal and provincial legislation and policies, and to address the basic needs and rights of children engaged or at risk of child labor or forced labor. Focuses on the cotton growing, ginning, and spinning sectors of the cotton supply chain. In 2020, the project conducted a rapid assessment of the ginning and spinning sectors. (99) In addition, it developed a toolkit and awareness and training materials regarding childhood exposure to pesticides and occupational safety and health issues. The project also developed training materials for inspectors at the district level and conducted community-based monitoring and remediation initiatives through video conference. (99)</p> <p>The Promoting Fundamental Principles and Rights at Work in the Cotton Supply Chain project (2017–2021) is a public-private partnership with Inditex aimed at promoting Fundamental Principles and Rights at Work (FPRW) for a sustainable cotton supply chain in Pakistan. In 2020, the project drafted a mapping study of the cotton supply chain in selected communities. It also developed and distributed informational and communication materials to relevant stakeholders and farming communities. (99) Since its inception, the project has reached an estimated 1,860 direct project participants and about 5,000 indirect project participants. (99)</p> <p>The Promotion of Decent Work Opportunities for the Economic Empowerment of Vulnerable Segments of Society project (2019–2021) is funded by the Italian Ministry of Foreign Affairs and International Cooperation, and is focused on the brick kiln industry. During the reporting period, the project conducted awareness-raising activities on the COVID-19 pandemic with brick kiln owners and workers, undertook a rapid assessment on the impact of the pandemic on Pakistan's brick kiln sector, and conducted a study of the brick kiln sector to identify deficits on FPRW with respect to child labor and bonded labor. (99)</p>
Khidmat ATM Cards†	Government-funded program to increase enrollment in schools that focuses on low income families in Punjab. (121) Provides approximately \$12.50 to families for every child enrolled in school and thereafter approximately \$6.25 per month for every child whose school attendance has been verified. (101) Active in 2020. (5)
Sabaoon Rehabilitation Center†	NGO-run, federal government-funded center that rehabilitates children who were recruited and ideologically influenced by terrorist organizations and militant groups. Reintegrates youth into society by providing psychological treatment, education, and vocational training. (9) In 2020, the Khyber Pakhtunkhwa provincial government approved funding for a second Sabaoon Center called Sabaoon-II. (143)
Loans (supported by the World Bank) to Zig-Zag Technology in Brick Kilns	The Punjab government has pushed brick kilns in the province to adopt "zig-zag" technology, which, in addition to reducing coal consumption and pollution from the kilns, will reduce the need for labor at each kiln, cutting incentives for bonded and child labor. (47) Approximately 99 percent of Punjab's kilns have adopted this technology, with many doing so during this reporting period. (121) The Punjab government offered subsidized loans, supported by the World Bank, to encourage adoption, and enforced its December 31 deadline for all kilns to convert to the technology or be shut down. (47)

† Program is funded by the Government of Pakistan.

In 2019, the provincial labor departments of Khyber Pakhtunkhwa and Balochistan dedicated approximately \$1.53 million and \$1.37 million of their budgets, respectively, to conduct surveys on child labor. The Khyber Pakhtunkhwa labor department began conducting its child labor survey in 2019. (44,106) Child labor surveys are also being carried out in Sindh and the ICT, while the child labor survey project in Balochistan is still being planned. (101) Surveys are expected to be completed in 2022 due to pandemic-related delays. (5)



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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 child victims of human trafficking. (39,144) Government initiatives are needed to specifically target child labor in the informal sector, including child labor and forced child labor in domestic work. (120) In addition, there is no significant social program to address sexual abuse of child workers or children attending *madrassas* in Pakistan.

## 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 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 – 2020
	Establish a minimum age for work of at least age 14 in federal and provincial laws extending to all sectors and informal employment, regardless of the number of employees.	2011 – 2020
	Ensure that the law prohibits the employment of children under age 18 in hazardous work, including in federal law and Balochistan Province.	2009 – 2020
	Ensure that the federal and provincial lists of hazardous work prohibited for children are comprehensive, and include brickmaking, domestic work, and mining.	2009 – 2020
	Ensure that federal and provincial laws criminally prohibit child trafficking without requiring an element of force, fraud, or coercion.	2019 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs, including in federal law and Balochistan and Khyber Pakhtunkhwa Provinces.	2011 – 2020
	Ensure that the law criminalizes the use, procurement, and offering of children in prostitution, pornography, and pornographic performances, including in federal law and Balochistan and Khyber Pakhtunkhwa Provinces.	2011 – 2020
	Ensure that the law criminally prohibits the recruitment and use of children under age 18 by non-state groups for armed conflict, including in federal law and Balochistan and Khyber Pakhtunkhwa Provinces.	2015 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2019 – 2020
	Enforcement	Ensure that the number of labor inspectors in Pakistan meets the ILO's technical advice and that there are a sufficient number of inspectors trained and responsible for providing enforcement of child labor laws in all provinces.
Provide the funding necessary to adequately hire, train, equip, and cover the cost of transportation for inspectors to enforce child labor laws, especially in Khyber Pakhtunkhwa, Punjab, and Sindh Provinces.		2010 – 2020
Ensure that District Vigilance Committees that seek to ensure enforcement and implementation of bonded labor prohibitions are operating effectively in all provinces, and are established in Khyber Pakhtunkhwa and Balochistan Provinces.		2013 – 2020
Ensure that all allegations of sexual abuse, including allegations of <i>bacha bazi</i> and trafficking of boys into Afghanistan, are thoroughly investigated and, when appropriate, prosecuted.		2019 – 2020
Ensure that all brick kilns are registered, do not employ child labor, and fully compensate all workers.		2020
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 – 2020
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, whether unannounced inspections were conducted, whether training on new laws related to child labor were conducted, whether refresher training courses were provided, whether complaint mechanisms exist, whether reciprocal referral mechanisms exist between labor authorities and social services for all provinces.		2010 – 2020
Establish sufficient laws to end police corruption, particularly the taking of bribes from suspected perpetrators to ignore alleged crimes.		2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Establish a referral mechanism between labor authorities and social services in all provinces.	2017 – 2020
	Establish a referral mechanism between criminal law enforcement agencies and social services in all provinces.	2018 – 2020
	Publish information about criminal law investigations, violations found, prosecutions initiated, and the number of convictions, as well as about initial training, training on the worst forms of child labor, refresher courses, and penalties imposed and collected in all provinces.	2016 – 2020
Coordination	Publish information on the activities undertaken by the Provincial and Federal Tripartite Consultative Committees.	2017 – 2020
	Establish the remaining 33 Child Protection Units in Balochistan, as required by law.	2019 – 2020
	Ensure that the Khyber Pakhtunkhwa Child Welfare and Protection Commission meets regularly and appoints a commissioner.	2020
	Ensure all coordinating bodies are able to carry out their intended mandates.	2020
Government Policies	Ensure that steps are taken to implement policies to address child labor.	2020
	Ensure that inspectors are provided with sufficient resources and are not stymied from executing Sindh Province's Labor Policy by factory owners.	2019 – 2020
	Integrate child labor elimination and prevention strategies in the education policies of the provincial governments.	2014 – 2020
	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
Social Programs	Complete and publish child labor surveys at the federal and provincial levels.	2009 – 2020
	Implement programs to address and eliminate the sexual abuse of children, especially in <i>madrassas</i> , workplaces, and on the street.	2019 – 2020
	Improve 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 – 2020
	Implement programs to address high rates of teacher absenteeism, inadequate facilities, school fees, 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 groups.	2011 – 2020
	Implement programs to raise awareness of and provide assistance to children used by non-state militant groups to engage in armed conflict.	2011 – 2020

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In 2020, Panama made moderate advancement in efforts to eliminate the worst forms of child labor. The government successfully prosecuted, convicted, and sentenced its first forced child labor case, and it provided social services to 1,500 child victims and children at risk of child labor. It also established a Network of Companies Against Child Labor with the participation of the National Council of Private Enterprise and technical advice from the International Labor Organization, with the aim of creating a certification seal for products produced free of child labor. However, children in Panama are subjected to 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. Panamanian law allows minors under age 16 to engage in hazardous work within training facilities in violation of international standards. Moreover, the Ministry of Labor 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 are subjected to 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 Panama.

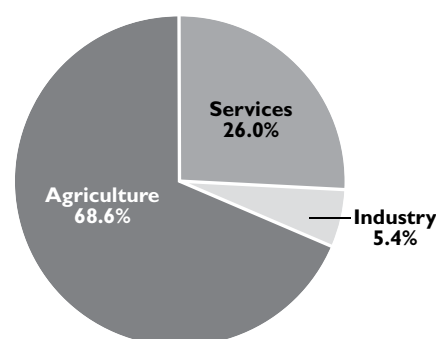
**Table 1. Statistics on Children's Work and Education**

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 (%)		89.8

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2014. (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	Production of beans, cereal grains, coffee, corn, melons, oilseeds, onions, pineapples, rice, and tomatoes (3,4,9-17)
	Raising livestock, including cattle (2,4,9,18)
	Fishing,† including harvesting shellfish (2,4,17-20)
Industry	Construction,† including mixing cement, painting, carpentry, and welding (1,2,19)
Services	Domestic work† (2,4,16,18,19,21-23)
	Bagging in supermarkets (9)
	Street work,† including vending,† washing cars, shining shoes,† and collecting recyclables (1,4,9,15,17-19,24-27)
Categorical Worst Forms of Child Labor‡	Forced domestic work (6,23)
	Use in the production of pornography (4,17,19)
	Commercial sexual exploitation, sometimes as a result of human trafficking (3,6,17,19,23)
	Scavenging the ocean for metal and other items (9)

† 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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Children in Panama are subjected to commercial sexual exploitation, mainly in tourist areas in Panama City and in beach communities. (9)

According to the results of Panama’s 2016 survey on child labor, the highest prevalence of child labor is in the agricultural sector 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)




In 2020, due to the COVID-19 pandemic, the Ministry of Education moved all learning to a remote model beginning in March. (17) This created new barriers for accessing education, such as lack of internet and access to electronic devices, leading to an increase in inequality in education. The government reports that there are 46,000 students who did not engage in studies after the closure of schools in March 2020. (17) The Inter-American Development Bank estimates that educational exclusion will increase in Panama by 19 percent due to the closure of schools. (17)

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*. (1,4,17,19,28,29) 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. (9,28,29) Indigenous children have very low school enrollment rates. (30) Panamanian law requires that schools integrate children with disabilities, but most public schools do not have adequate facilities for them. (31)

## 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 (32-34)
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 (22,32-36)
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 (22,34,36)

**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 (32,33,35-37)
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 (33,35,37)
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 (35,37)
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 (33,35,36)
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 (35)
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 (32,33,38,39)
Free Public Education	Yes		Articles 34 and 41 of the Law on Education; Article 95 of the Constitution (32,38,39)

† No standing military (32)

Currently, Panamanian law has a list of hazardous occupations prohibited for children under age 18, but it permits children to perform such work in training programs starting at age 14, in violation of international standards. (22)

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 agricultural work. (32-34) Article 119 of the Labor Code allows children ages 12 to 15 to perform light work in agriculture if the work is outside of regular school hours. The Labor Code, however, does not define the kinds of activities children may perform as light work. (34) In addition, the minimum age for work is lower than the compulsory education age, which may encourage children 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 enforcement agencies 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 (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 (DIRETIPAT), and the Labor Inspection Directorate. DIRETIPAT 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. (23,40,41) DIRETIPAT also manages the newly established Direct Government Action Program that seeks to prevent and eradicate child labor. 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). (23) The Labor Inspection Directorate enforces the Labor Code in areas in which children may be working, particularly in the formal sector. (23)
Attorney General's Office	Investigates and prosecutes crimes of sexual exploitation. Investigations are initiated by the Judicial Investigative Directorate, after which cases are passed to the prosecutors. (23)

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

Organization/Agency	Role
National Secretariat of Childhood, Adolescence, and Family (SENNIAF)	Conducts inspections to identify children and adolescents engaged in child labor, particularly in the informal sector. (23,42) Monitors and coordinates a network of government services to address the needs of vulnerable populations. (43) Runs shelters for victims of human trafficking, including minors. (44)
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. (45,46) It is a special body of the National Police.

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Panama took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Labor (MITRADEL) that may hinder adequate labor law enforcement, including allocating sufficient financial resources.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$1,313,417 (23)	\$1,307,476 (17)
Number of Labor Inspectors	100 (23)	93 (17)
Inspectorate Authorized to Assess Penalties	Yes (34)	Yes (34)
Initial Training for New Labor Inspectors	Yes (23)	Yes (17)
Training on New Laws Related to Child Labor	Yes (23)	N/A (17)
Refresher Courses Provided	Yes (23)	Yes (17)
Number of Labor Inspections Conducted	14,439 (47)	10,374 (47)
Number Conducted at Worksite	14,439 (47)	10,374 (47)
Number of Child Labor Violations Found	10 (23)	2 (17)
Number of Child Labor Violations for Which Penalties Were Imposed	10 (23)	2 (17)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (23)	2 (17)
Routine Inspections Conducted	Yes (23)	Yes (17)
Routine Inspections Targeted	Yes (23)	Yes (17)
Unannounced Inspections Permitted	Yes (34)	Yes (34)
Unannounced Inspections Conducted	Yes (23)	Yes (17)
Complaint Mechanism Exists	Yes (23)	Yes (17)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (23)	Yes (17)

In 2020, the government carried out a total of 10,374 inspections, 877 of which were child labor specific inspections, compared to 1,542 child labor specific inspections in 2019. (47) During 2020, the emphasis of inspections was redirected toward enforcing health and safety workplace rules developed to address the pandemic. This resulted in a 43 percent decrease in the number of inspections with a child labor focus when compared to 2019. (17,47) During the reporting period, the Directorate Against Child Labor and for the Protection of Adolescent Workers (DIRETIPAT) requested that the Judicial Secretary of the General Directorate of Labor sanction two companies for non-compliance of child labor laws. According to DIRETIPAT, in 2020 the General Directorate of Labor issued two penalties for two violations, for a total of \$4,600, of which they collected \$3,100. (17)

DIRETIPAT reported that in patrols and inspections done together with the National Secretariat for Childhood, Adolescence, and Family and the National Commission for the Prevention of Crimes of Sexual Exploitation, it identified 88 children and adolescents working illegally, without corresponding permits, or in industries considered dangerous for adolescents. In addition, DIRETIPAT reported that, together with the NGO *Casa Esperanza*, it identified 1,500 children and adolescents to benefit from scholarships and medical follow-ups to prevent child labor, although it is unclear whether any of these children were identified through labor inspections. (17) These children will receive care and services, scholarships, and academic follow-up for 3 consecutive years from the Direct Action Program for the Prevention and Eradication of Child Labor and *Casa Esperanza*. (17)



Due to emphasis on decrees and health rules to control the spread of COVID-19, the government did not provide training to labor inspectors on child labor or hazardous child labor laws in 2020. (17) Of the 93 labor inspectors employed by the government, only 4 received specialized training in child labor investigations, even though all inspectors must investigate and enforce child labor laws. (17) MITRADEL and the National Secretariat for Childhood, Adolescence, and Family operate a secure 311 Complaint Line, a website, and social media platforms to receive complaints. In 2020, MITRADEL also set up two WhatsApp phone number lines to file labor complaints. (17)

The budget for DIRETIPAT is insufficient to meet its staffing needs. DIRETIPAT indicated a need for additional funding to increase the number of labor inspectors nationally, and for unspecified tools to carry out their work. (17,28,48,49) The overall number of labor inspectors decreased in 2020 compared with 2019. (17) In 2020, Panama had 93 labor inspectors, which is likely insufficient for the size of Panama's workforce, which includes more than 1.6 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 15,000 workers in industrializing economies, Panama would employ about 109 labor inspectors. (50)

### **Criminal Law Enforcement**

In 2020, 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 their efforts.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (23)	Yes (17)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (23)	N/A (17)
Refresher Courses Provided	Unknown (23)	Yes (17)
Number of Investigations	Unknown (23)	Unknown (17)
Number of Violations Found	Unknown (23)	Unknown (17)
Number of Prosecutions Initiated	Unknown (23)	Unknown (17)
Number of Convictions	Unknown (23)	Unknown (17)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (23)	Unknown (17)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (51)	Yes (17)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report.

In September 2020, a Panamanian court sentenced a perpetrator of forced child domestic labor to 80 months' imprisonment and 3 years' disqualification from engaging in public functions, such as voting or running in elections and holding positions of public trust. The accused was convicted of "trafficking in persons in the form of labor exploitation" in the province of Coclé. (17,52) The victim was awarded \$2,000 in compensation. This was the first successful prosecution of a child labor case in Panama, setting an important legal precedent in the country. (17,52)

## **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.

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**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. (49) Conducts a National Child Labor Survey every 2 years. (9) It is a public-private institution that includes government, employers, workers, and NGOs that collaborate to combat child labor. (23) In 2020, it established the “Network of Companies Against Child Labor” with the participation of the National Council of Private Enterprise and with technical advice from the ILO, with the aim of creating a certification seal for “products free of child labor.” (17)
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. (28,53) Research was unable to determine whether the Subcommittee to Combat Child Labor was active during the reporting period.
Provincial Coordination Mechanisms	Identify and report cases of child labor at the local level to SENNIAF and coordinate with CETIPPAT at the national level. Established in Bocas del Toro, Colón, and Darién. Additional commissions were established in Chiriquí, Veraguas, Herrera, Los Santos, Coclé, and Panama Oeste. (1,4) Research was unable to determine whether the Provincial Coordination Mechanisms were active during the reporting period.
National Commission for the Prevention of Crimes of Sexual Exploitation (CONAPREDES)	Coordinates, advises, studies, and implements public policies for the prevention and eradication of sexual exploitation. (49) Members include the Attorney General and the ministries of Labor, Education, Social Development, and Health. Refers cases of sexual exploitation to the Attorney General's Office. (49) In 2020, using virtual platforms, it developed programs to raise awareness, sensitize, and update teaching staff, lawyers, prosecutors, representatives, psychologists, social workers, caregivers, police for children and adolescents, judicial and administrative officials of the judicial body, technicians from different professions, and parents of families and students. Trained a total of 24,485 people during the reporting period. (17)

MITRADEL noted the need for increased coordination on efforts to address child labor, including within the ministry and with social service agencies and referral mechanisms. (28)

## 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
Direct Government Action Program for the Prevention and Eradication of Child Labor	A MITRADEL initiative 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 the provision of food and scholarships, support for sports activities, and social monitoring. (17) Replaced the Roadmap Towards the Elimination of Child Labor (2016–2019) during the reporting period. In 2020, under this policy MITRADEL designed and prepared to carry out a survey on child labor planned for October 2021, and continued to train inspectors. (17) The government also conducted 354 unannounced inspections of workplaces focused on child labor, referred 1,500 victims or at-risk children to social services, and identified 88 minors working in violation of the law. (17)
National Multisectoral Strategy for the Prevention of Violence Against Children and Adolescents (2018–2022)	Aims to eliminate child labor and end the mistreatment, exploitation, trafficking, violence, and torture of children. 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. (57,58) Research was unable to determine whether activities were taken to implement this strategy during the reporting period.
National Action Plan for the Prevention and Elimination of Commercial Sexual Exploitation of Children and Adolescents	Seeks 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. (49,59) In 2020, CONAPREDES and the Wellbeing Planet Foundation signed a cooperation agreement to provide tools to assess post-traumatic stress and to offer comprehensive training to officials of CONAPREDES. (17)
National Plan Against Trafficking in Persons (2012–2022)	Combats human trafficking through prevention, victim assistance, and international cooperation. Includes provisions to protect child victims of human trafficking. (48,60) In 2020, an investigative coordination initiative between the U.S. Department of Homeland Security–Homeland Security Investigations, the Panamanian National Police, and the Panama Attorney General's Office conducted training on an online child protection system that targets individuals downloading and distributing child exploitation material within peer-to-peer networks on the Internet. (17)
Districts Free of Child Labor	Establishes cooperation agreements between MITRADEL and municipal councils to design and implement child labor eradication strategies. (4) Includes policies related to development and education projects that support poverty reduction. In 2020, under the guidance of this policy, two new regional coordinating committees were established in the provinces of Colón and Darién. These commissions report child labor issues to SENNIAF. (17)

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. (61) 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 2020, 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
SENNIAF programs to identify, remove, and provide services to children engaged in the worst forms of child labor and commercial sexual exploitation†	Prevention and Eradication of Child Labor 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. Maintains a case processing system to efficiently manage reports and help reduce report processing times. (1) Prevention and Care for Child and Adolescent Victims of Sexual Violence 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. (62) Research was unable to identify specific actions undertaken during the reporting period under these programs.
Network of Opportunities†	Ministry of Social Development 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. (63) Research was unable to identify specific actions undertaken during the reporting period under this program.
<i>El Plan Colmena</i>	Social program launched in 2019 in districts located in Capira, Ciri de Los Sotos, Ciri Grande, Angela Chirú, El Cacao, La Trinidad, Ollas Arriba, and Santa Rosa. Seeks to identify the root causes of poverty and implement long-term local capacity building programs that achieve a poverty-free Panama. (23) In 2020, with the assistance of the Food and Agriculture Organization of the United Nations, a pilot program called “Study without Hunger” began offering lunches in schools; this was prompted by a survey on food habits and trainings for educators on eating habits. When the pandemic began and schools closed, the food in this program was transferred to the “Panama Solidario” program, which provides food to communities in need, in the hope that it would still reach students and their families. (17)

† Program is funded by the Government of Panama.

Although the Government of Panama has expanded programs that reach children in rural areas and from indigenous and Afro-Panamanian communities, reports indicate that the scope of these programs is insufficient, and these children remain vulnerable to the worst forms of child labor. (64,65)

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. Furthermore, although victims of child trafficking are able to receive services from local NGOs, Panama lacks programs to specifically address the needs of this population. (5) 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. (66,67)

## 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 Panama (Table 11).

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**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish regulations that define the types of activities that children between ages 12 and 14 can undertake as light work.	2009 – 2020
	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 children are protected in accordance with international standards if children age 16 or 17 are allowed to perform hazardous work.	2013 – 2020
	Raise the working age from 14 to 15, the compulsory education age, to comply with international standards.	2019 – 2020
Enforcement	Collect and make available complete data on labor law enforcement efforts and criminal enforcement efforts related to the worst forms of child labor, such as the number of violations found, number of prosecutions initiated, penalties collected, whether reciprocal mechanisms exist, and number of convictions.	2018 – 2020
	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 – 2020
	Ensure that all inspectors receive regular, specialized training on child labor issues.	2018 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2020
Coordination	Ensure all coordinating bodies are able to carry out their intended mandates.	2020
	Increase coordination on efforts to address child labor, including within the Ministry of Labor, and with social services agencies and referral mechanisms.	2016 – 2020
Government Policies	Take steps to implement the National Multisectoral Strategy for the Prevention of Violence Against Children and Adolescents, and publish information about these efforts.	2020
	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 – 2020
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 – 2020
	Ensure that social programs to prevent and eradicate child labor are being implemented.	2018 – 2020
	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 – 2020

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In 2020, Papua New Guinea made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the National Council for Child and Family Services developed criteria for the appointment of child protection officers and appointed 42 child protection officers. However, children in Papua New Guinea are subjected to 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 hazardous work prohibitions do not comply with international standards that require all children under age 18 to be protected from work that could jeopardize their health and safety, nor do its laws prohibit using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs. Schools continued charging fees as a result of not receiving promised government subsidies needed for education to remain free and accessible for all children. In addition, 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 are subjected to 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 mining. (1,2) 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 (%)		77.1

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (5)  
Data were unavailable from International Labor Organization's analysis, 2021. (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 (1,2,7)
	Deep sea fishing, including harvesting sea cucumbers and pearls (2,8)
Industry	Mining, including gold mining (1,2)
	Manual labor (3)
Services	Domestic work (1,3)
	Street work, including scavenging for recyclables, begging, directing traffic, and directing traffic while begging (1-3)
	Working in markets, including unloading and carrying heavy bags of food (1,2)
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 (1-4)
	Forced domestic work (1,3)
	Illicit activities, including selling drugs (1,2,9)
	Forced mining, including panning for gold, sometimes as a result of human trafficking (2,3)
	Forced portering, sometimes as a result of human trafficking (2,3)

‡ 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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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) 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. (8,10) Children also perform dangerous tasks in mining, such as handling dangerous chemicals, including mercury used in gold mining, for which they lack appropriate training and equipment. (2,8) While school enrollment increased as a result of the government's Tuition Fee-Free policy, access to education is hindered by the lack of funding and resources needed to support an increase in the number of students. (2)

While school enrollment increased as a result of the government's Tuition Fee-Free policy, access to education is hindered by the lack of funding and resources needed to support an increase in the number of students, and in practice, many schools charge fees for books, uniforms, and supplies. (1,2,7,11,12) 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, in previous years, some schools had to close due to aging infrastructure and reportedly did not receive the subsidy. (1,13,14) Further, in 2019, schools in Morobe Province were allowed to start charging fees for students due to the Tuition Fee-Free policy not providing payment subsidies to schools. (1,14) Insufficient resources, including the lack of reliable water supplies and proper toilets, also contribute to poor school attendance and led to one school closing in 2020. (2) Lack of access to schools increases children's vulnerability to child labor. In addition, research found that the threat of gender-based violence prevents many girls from attending school. (15) Papua New Guinea lacks comprehensive research and data on child labor, which affects the government's ability to address child labor in the country. (1)

## 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 (16)
Minimum Age for Hazardous Work	No	16	Article 104 of the Employment Act (16)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles 23 and 43 of the Constitution of the Independent State of Papua New Guinea; Section 208 of the Criminal Code (17,18)
Prohibition of Child Trafficking	No		Section 208 of the Criminal Code (18)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 229J–229O and 229R–229S of the Criminal Code (19)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 30 of the Defence Act (20)
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 (21)

According to the Employment Act, children ages 11 through 16 may be allowed to work under certain conditions, including parental consent and if the child works only with members of the family. 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. (16,22) Papua New Guinea's Employment Act prohibits children under the age of 16 from engaging in hazardous work, which is not in compliance with international standards because it does not protect children between the ages of 16 and 18 from hazardous work. (16,22) 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. (23) The law does not sufficiently protect children from commercial sexual exploitation, because using, procuring, and offering a child for pornographic performances are not criminally prohibited. (19) Lastly, the prohibitions against child trafficking are insufficient because they require that threats, the use of force, or coercion be established for the crime of child trafficking. (4,18)

### 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 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 and Industrial Relations	Implements and enforces child labor laws. (1)
Department of Youth, Religion, and Community Development	Through the Office of Child and Family Welfare Services, implements, oversees, and enforces the Child Protection ( <i>Lukautim Pikinini</i> ) Act, including provisions on child labor and its worst forms, and employs Papua New Guinea's Child Protection Officers. (1,2,8,10,24,25)

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

Organization/Agency	Role
Royal Papua New Guinea Constabulary	Enforces laws against commercial sexual exploitation of children. (8) Includes the specialized Family and Sexual Violence unit, which includes protecting children's rights and safety. (1,8)
<i>I-Tok Kaunselin Helpim Lain</i>	Telephone hotline funded by the Government of Papua New Guinea to report child welfare concerns and physical or sexual violence. (26)

Research indicates that the Department of Labor and Industrial Relations lacks a data monitoring system to track child labor cases, which may hamper its efforts to address child labor concerns in Papua New Guinea. (1,2) Although the government maintained the *I-Tok Kaunselin Helpim Lain* hotline to report concerns related to child welfare and allegations of physical or sexual violence, it was not active in 2020. IOM also maintained a hotline that provided anti-trafficking information and resources, but the number of cases identified related to children is unknown. (1,26,27)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Papua New Guinea took actions to combat child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate labor law enforcement, including the number of labor inspectors conducting inspections.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	Unknown (1)	Unknown (2)
Inspectorate Authorized to Assess Penalties	Yes (16)	Yes (16)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (2)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (2)
Number Conducted at Worksite	Unknown (1)	Unknown (2)
Number of Child Labor Violations Found	Unknown (1)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (2)
Routine Inspections Conducted	Unknown (1)	Unknown (2)
Routine Inspections Targeted	Unknown (1)	Unknown (2)
Unannounced Inspections Permitted	Yes (16)	Yes (16)
Unannounced Inspections Conducted	Yes (1)	Yes (2)
Complaint Mechanism Exists	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (2)

The Government of Papua New Guinea did not respond to requests for information related to its labor law enforcement efforts for inclusion in this report. (2) While the number of labor inspectors is unknown, 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 need to employ roughly 245 labor inspectors as its workforce consists of over 3.7 million workers. Although research indicates that labor inspectors sometimes carry out routine inspections in hazardous workplaces or in the manufacturing sector, due to limited personnel capacity, labor inspectors generally respond to specific child labor complaints on a case-by-case basis as complaints are filed. (1,2,28) Insufficient resources hamper the labor inspectorate's capacity to enforce child labor laws, including administrative and budgetary constraints that prevent officers from receiving sufficient training. (1,8,29) Based on estimates from previous years, 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. (21,30) Most child labor occurs in the informal sector and outside of cities—in suburban and rural areas—where inspections are seldom conducted. (1) When labor inspections do occur, they are conducted in all three of Papua New Guinea’s languages (English, Hiri-Motu, and Pidgin/Tok Pisin). (2,31)

### **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	2019	2020
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Investigations	Unknown (1)	Unknown (2)
Number of Violations Found	Unknown (1)	Unknown (2)
Number of Prosecutions Initiated	Unknown (1)	Unknown (2)
Number of Convictions	Unknown (1)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	No (2)

The Government of Papua New Guinea did not respond to requests for information on its criminal law enforcement efforts for inclusion in this report. Research indicates that there are not enough officers to conduct criminal investigations into child labor accusations due to a lack of funding, training, and report writing skills. (1,2) Research was unable to find evidence of trainings occurring in 2020 and was unable to determine whether training for prospective law enforcement officials would include all child labor elimination components, including recognizing the worst forms of child labor, victim identification, and prevention strategies. (27,32)

## **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 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. (1,32) NGOs were not invited to participate in meetings even though the committee comprises NGO stakeholders. (3,27,28,33) Research was unable to determine whether activities were undertaken to coordinate efforts to combat human trafficking during the reporting period. (2)
National Council for Child and Family Services	Coordinates the implementation of the Child Protection Act and the National Child Protection Policy. In partnership with UNICEF, is overseen by senior government officials, civil society organizations, faith-based organizations, and private sector representatives, and comprises child protection officers. (1,34,35) During the reporting period, the Council developed criteria for the appointment of child protection officers and appointed 42 child protection officers. (2)
National Child Welfare Office	Coordinates the promotion of children’s rights through awareness campaigns and trainings. Refers perpetrators to police and provides help to police and social services when a child is rescued from child labor. (28) During the reporting period, provided child protection services to three female minor victims. (4)

Research indicates that there is a lack of senior governmental leadership and participation at National Anti-Human Trafficking Committee meetings. (28,32)

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### 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. (36,37) While research was unable to determine whether activities were undertaken to implement the National Action Plan to Eliminate Child Labor in Papua New Guinea during the reporting period, the UN Office of the United Nations High Commissioner for Human Rights and the Department of Justice initiated a periodic review of the National Action Plan. However, there were no substantial updates made. (2,4,33)
Papua New Guinea Trafficking in Persons National Action Plan (2015–2020)	Seeks to prevent human trafficking, protect victims, and prosecute offenders. (38) Research indicates that the government did not allocate any resources toward implementing this plan. (39) During the reporting period, the government commenced work on updating the plan, including an ongoing review process, though research was unable to determine what level of progress was made. (4,33)
National Child Protection Policy (2017–2027)	Seeks to strengthen child protection laws, including increased data gathering and analysis, full implementation of the <i>Lukautim Pikinini</i> Act, and elimination of violence against children at the hands of the police. (1,40) Research was unable to determine whether efforts were undertaken to implement the National Child Protection Policy during the reporting period. (4)
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. (8,12,41) Research was unable to determine whether activities were undertaken to implement the Tuition Fee Free Policy during the reporting period. (4)

Research was unable to confirm whether the National Action Plan to Eliminate Child Labor began enacting policies or programs in 2020—none were implemented in previous years due to a lack of effective administrative planning and human and financial resources. (2,10) Research was also unable to determine whether child labor elimination strategies were incorporated into the Trafficking in Persons National Action Plan.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Child Care Centers†	Provide a safe location for children removed by Child Protection Officers from situations deemed to be harmful to their health and safety. (1,10,42) Research was unable to determine whether the Child Care Centers were active during the reporting period.

† 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. Research found no evidence of any programs with the goal of eliminating or preventing child labor. (3,32,43)

### 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).

**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 Armed Conflict.	2018 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2020
	Accede to the Palermo Protocol on Trafficking in Persons.	2014 – 2020
	Raise the minimum age for light work to age 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 – 2020
	Establish age 18 as the minimum age for hazardous work, and identify hazardous occupations and activities prohibited for children.	2009 – 2020
	Ensure that the law does not require threats, the use of force, or coercion to be established for the crime of child trafficking.	2019 – 2020
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2020
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Ensure that the law establishes a compulsory education age that is equal to the minimum age for employment.	2009 – 2020
	Fully fund and reopen the <i>I-Tok Kaunselin Helpim Lain</i> hotline.	2018 – 2020
	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 – 2020
	Strengthen the inspection system by ensuring that inspectors conduct routine or targeted inspections in addition to those that are complaint-driven.	2014 – 2020
	Provide inspectors with the resources necessary to enforce labor laws and other laws that protect children from the worst forms of child labor, including funding, training, and report writing skills.	2009 – 2020
	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 – 2020
	Ensure the number of labor inspectors meets the ILO's technical advice.	2017 – 2020
	Institutionalize and fully fund training for labor inspectors and criminal investigators on the worst forms of child labor, including training for new labor inspectors at the beginning of their employment.	2016 – 2020
	Ensure that labor inspections occur in all areas of Papua New Guinea, especially outside of urban areas.	2019 – 2020
	Publish information on the 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 – 2020
	Establish a data monitoring system to track child labor cases.	2019 – 2020
	Ensure the number of labor inspectors in Papua New Guinea meets the ILO's technical guidance.	2020
	Coordination	Ensure that the established coordinating mechanisms to combat all forms of child labor, including the worst forms of child labor, fully carry out their mandates.
Ensure that there is senior governmental leadership and participation at the National Anti-Human Trafficking Committee meetings.		2018 – 2020
Ensure that all anti-human trafficking stakeholders, including NGOs, are invited to and participate in the National Anti-Human Trafficking Committee coordination meetings as per the Committee's mandate.		2019 – 2020
Government Policies	Ensure that all policies are funded and implemented according to their mandate, including the National Action Plan to Eliminate Child Labor in Papua New Guinea, the Papua New Guinea Trafficking in Persons National Action Plan, the National Child Protection Policy, and the Tuition Fee Free Policy.	2017 – 2020
	Integrate child labor elimination strategies into the Trafficking in Persons National Action Plan.	2019 – 2020
	Fully reimburse schools for the added costs of accommodating additional students as mandated under the Tuition Fee-Free Policy.	2018 – 2020
Social Programs	Increase access to education by instituting programs to address gender-based violence against girls in schools, fully eliminating school-related fees, and increasing resources, including access to reliable water supplies and toilets.	2014 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Implement and fully fund programs and anti-human trafficking services that assist children engaged in the worst forms of child labor in all relevant sectors, especially commercial sexual exploitation, domestic work, and mining.	2010 – 2020
	Ensure that Child Care Centers are active and are fully funded, and publish their activities undertaken during the reporting period.	2019 – 2020

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In 2020, Paraguay made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor launched virtual training curricula for inspectors and created a labor complaint hotline. Local Defense Councils for the Rights of Children were also involved in child labor investigations, and in December 2020, the government approved a National Plan to Counter Trafficking in Persons. However, children in Paraguay are subjected to the worst forms of child labor, including in domestic servitude, sometimes as a result of human trafficking, as well as debt bondage in cattle raising, on dairy farms, and in charcoal factories. Children from rural and indigenous communities also face difficulties accessing and completing their education, including language barriers and inadequate facilities and staff at schools. In addition, 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. Paraguay's criminal law enforcement agencies also lack resources to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor, especially in remote areas.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Paraguay are subjected to the worst forms of child labor, including in domestic servitude, sometimes as a result of human trafficking, as well as debt bondage in cattle raising, on dairy farms, and in charcoal factories. (1-4) The 2011 National Survey of Child and Adolescent Activities found that 21 percent of all Paraguayan children were engaged in hazardous work. (5) The 2015 Survey of Activities of Rural Area Children and Adolescents, published in 2016, identified 384,677 children ages 5 to 17 engaged in child labor in agriculture. (6) Table 1 provides key indicators on children's work and education in Paraguay.

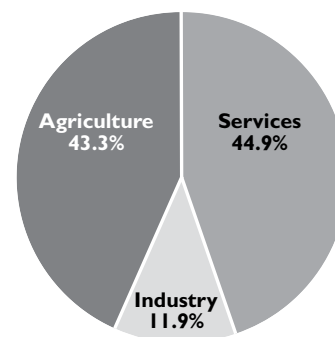
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	10 to 14	7.4 (49,956)
Attending School (%)	5 to 14	96.4
Combining Work and School (%)	10 to 14	6.4
Primary Completion Rate (%)		88.0

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta Permanente de Hogares (EPH), 2018. (8)

**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 of manioc/cassava, corn, beans, peanuts, peppers, sesame, sugarcane, tomatoes, lettuce, melons, sweet potato, onions, carrots, cabbages, yerba mate (stimulant plant), and charcoal (6,9-11)
	Raising poultry, hogs, cattle,† sheep, and goats and milk production (5,11)
	Fishing, including using hooks and harpoons,† preparing bait, and cleaning fish† (6)



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

Sector/Industry	Activity
Industry	Construction, including handling heavily loads, machinery or equipment,† and production of bricks (1-5,9,10)
	Limestone quarrying† and gold mining† (1,2,5,9,10,12)
Services	Domestic work† (1-5,13-19)
	Street work,† including vending, shoe shining, and begging (1,3,5,9,10,18-20)
	Horse jockeying (9,19)
	Garbage dump scavenging† (5)
Categorical Worst Forms of Child Labor‡	Debt bondage in cattle raising, dairy farms, and charcoal factories (1-4)
	Commercial sexual exploitation and domestic servitude, each sometimes as a result of human trafficking (1,3,13,20,21)
	Use in the production of child pornography (1-3,9,10,18,22)
	Use in illicit activities, including drug smuggling and drug trafficking (1-3,18)

† 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.

*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*. (1,3,21) Many of these children are in situations of domestic servitude, subjected to violence and abuse, and highly vulnerable to sex trafficking. (1,5,16,19,20) Lack of political will continues to prevent Congress from considering draft legislation criminalizing or regulating *criadazgo*. (1,3)




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. (1,3,23) The government has indicated it is investigating allegations that children are recruited by the Paraguayan People's Army for use in armed conflict against security forces, as well as investigating claims that children are used as forced labor in the production of marijuana in the department of Amambay. (1) Children work alongside their parents in debt bondage on cattle ranches, dairy farms, and charcoal factories in the remote Chaco region. (1-3,9,19)

Children from rural and indigenous communities face difficulties accessing and completing their education, including language barriers and inadequate facilities and staff. (1,2,24,25) A study released in 2019 by the Coordinator for the Rights of Infancy and Adolescence of Paraguay estimated that half of all children in indigenous communities do not attend school. (26) 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. (5,27) Public transportation is limited in rural areas and school infrastructure and staff are often lacking in rural and indigenous communities. (1,3) 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. (9,10) 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. (6)

## 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	✓
 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 (28,29)
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 (28-34)
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 (28-34)
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 (35-38)
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 (35-38)
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 (28,30,36,38)
Prohibition of Using Children in Illicit Activities	Yes		Article 1 of Law No. 1657; Article 32 of the Childhood and Adolescence Code (28,39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 3 and 5 of the Obligatory Military Service Law (40,41)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 3 and 5 of the Obligatory Military Service Law (40,41)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	17	Article 2 of Law No. 4088; Article 32 of the General Education Law No. 1264; Decree 6162 (42-44)
Free Public Education	Yes		Article 76 of the Constitution; Article 32 of the General Education Law No. 1264 (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. (28,29,42-44)

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### 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 enforcement agencies 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 laws related to child labor; inspects workplaces for child labor; and recommends penalties or fines for companies found in violation of labor laws. Refers cases involving criminal violations of child labor to the Ministry of Adolescents and Children (MINNA). (2,3,11)
Paraguayan National Police	Maintains a special unit of 40 police officers known as the Anti-Trafficking in Persons Unit, which handles trafficking in persons complaints, including in relation to children. Maintains offices in 5 cities across the country. (2,11,45)
Public Ministry (Attorney General)	Responsible for the investigation and prosecution of criminal laws against forced child labor, child trafficking, commercial sexual exploitation, the recruitment and use of child soldiers, and use of children in illicit activities. (1) Provides support to local prosecutors throughout Paraguay. Maintains the Specialized Unit to Combat Human Trafficking and Sexual Exploitation of Children and Adolescents (ATU). (2) Comprises 5 specialized prosecutors based in Asunción and 44 assistants. (2,11,17,45)
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 and refers cases of sexual exploitation and child labor to the Public Ministry's ATU. (1-3)

The Ministry of Women's Affairs also provides social services to female victims of human trafficking, half of whom are estimated to be children. The Ministry houses an office staffed with five personnel dedicated to combating trafficking of children. (2,11)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Paraguay took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor, Employment and Social Security (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	2019	2020
Labor Inspectorate Funding	\$1.8 million (3)	\$366,762 (1)
Number of Labor Inspectors	25 (3)	21 (1)
Inspectorate Authorized to Assess Penalties	No (3,46)	No (1)
Initial Training for New Labor Inspectors	N/A (3)	N/A (1)
Training on New Laws Related to Child Labor	N/A (3)	N/A (1)
Refresher Courses Provided	Yes (3)	Yes (1)
Number of Labor Inspections Conducted	1,591 (3)	9,710 (1,47)
Number Conducted at Worksite	341 (3)	99 (1)
Number of Child Labor Violations Found	3 (3)	8 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	9 (3)	7 (1)
Number of Child Labor Penalties Imposed that Were Collected	5 (3)	6 (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 (45)
Complaint Mechanism Exists	Yes (3)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (1)

As a result of the COVID-19 pandemic, the government of Paraguay declared a national state of emergency and redirected sources of funding, which resulted in the significant decrease in the inspectorate's budget in 2020 compared to 2019. (1) Despite the challenges posed by the pandemic, all inspectors received regular training on

child labor issues during the reporting period. Furthermore, the MTESS launched virtual training curricula that included child labor, and noted that participation in these courses was higher than in other years. (1)

Also in response to the pandemic, between January and November of 2020, the MTESS's Occupational Safety and Health Directorate conducted 9,246 "verifications" of workplace sanitary conditions as a condition of reopening after lockdown. These "verifications" were in fact workplace inspections that did look for evidence of child labor violations. (1,47) These inspections were not conducted in previous reporting periods and explains the large discrepancy between 2019 and 2020 Paraguayan inspection figures. (47)

During the reporting period, the MTESS launched its own labor complaint hotline, which received over 1,500 calls in 2020, including 6 child labor related complaints. (1)

Although Paraguay has ratified ILO C. 81, its labor inspectors are contractors rather than public officials, and due to the instability of contract employment, the authority and training of these labor inspectors may be called into question. (1-3,48) 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 technical advice of a ratio approaching 1 inspector for every 15,000 workers in developing economies, Paraguay would employ about 229 inspectors. (1,49)

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, and particularly in rural areas like the Chaco region. (1-3,9) With reduced ability to travel and access workplaces due to the pandemic, the MTESS attempted to make better use of its computer databases to identify labor violations, but noted limited success with this approach. (1) The MTESS, other government agencies, and NGOs agree that labor inspectors receive useful and necessary training, but that inspectors could benefit from more training specific to child labor. (1,3)

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 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. (1-3,50) 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 2020, 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 a lack resources to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	N/A (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (3)	N/A (1)
Refresher Courses Provided	Yes (3)	Yes (51)
Number of Investigations	211† (3)	160‡ (1)
Number of Violations Found	107 (3)	Unknown (1)
Number of Prosecutions Initiated	32 (3)	25 (1)
Number of Convictions	13 (3)	6 (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (3)	Yes (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (1)

† Number of investigations conducted between January and November 2019.

‡ Number of Investigations conducted between January and November of 2020.

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The anti-trafficking unit (ATU) investigated 160 child labor cases during the reporting period, including 8 that involved commercial sexual exploitation of children, 50 child labor trafficking cases, and 21 cases of the use of children in the production of pornography. The government reported removing 46 children from exploitative situations and referring them to appropriate social services. (1) The ATU also collaborated with the Spanish Agency for International Development Cooperation to conduct 20 virtual training sessions on trafficking in persons for approximately 400 government officials, including prosecutors, investigators, judges, migration officials, police officers, and inspectors. (18)

However, the government did not provide information on the number of violations found during the reporting period. (1) Government agencies, international organizations, NGOs, and labor organizations have also observed a need for more specialized prosecutors to support local prosecutors nationwide and increase the Public Ministry's ability to investigate and prosecute cases involving human trafficking. (10,14) Overall, Paraguay's criminal law enforcement agencies lack resources to sufficiently identify, investigate, and prosecute cases of the worst forms of child labor, especially in remote areas. Additionally, inconsistent application of fines and criminal penalties remain significant challenges in the elimination of the worst forms of child labor. (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 insufficient 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 Child Labor and Protect Adolescent Labor (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, MINNA, and other government agencies, and labor union representatives, industry associations, and NGOs. (2) Met five times during the reporting period. (1)
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. (1,3) Headed by the Ministry of Foreign Relations. (2) Held 14 regular meetings in 2020, developing the National Plan for the Prevention and Combat of Trafficking in Persons. (1,52)
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. (28) In many municipalities, staff from CODENIs were informally involved in child labor investigations and supported judges in civil cases involving children during the reporting period. (1)

While the Inter-Institutional Working Group on Preventing and Combating Human Trafficking was effective in fostering dialogue and coordination among government agencies on anti-trafficking in persons efforts, it faced challenges in collecting and reporting statistics and a lack of participation from all relevant government agencies. (21) 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 require additional financial and human resources to fulfill their mission to address child labor. (2,10,11,17,21,53)

### 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 Strategy for the Prevention and Eradication of Child Labor and Protection of Working Adolescents (2019–2024)	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. (2,10,54) The government continued to implement this strategy during the reporting period through the reintegration of victims of child labor; public awareness campaigns, including one specifically on <i>criadazgo</i> , and trainings for government officials, among other efforts. (1,55)
National Strategy to Prevent Forced Labor (2016–2020)	Aimed to prevent and eradicate forced labor and care for victims. (53) Under this strategy in 2020, the Government of Paraguay worked with Paraguay Okukauua to host a virtual 2-day symposium on child labor; forced labor; and human trafficking. MTESS also signed an inter-institutional agreement with the local NGO Global Infancia to address forced child labor. (55)
National Plan for Development (2010–2020)	Aimed to reduce social exclusion and poverty, including by preventing and eliminating child labor. (56) The government did not provide information on activities undertaken to implement this policy in 2020 for inclusion in this report.
National Plan on Human Rights	Promotes human rights, including the prevention and elimination of child labor and forced labor. (57) The government did not provide information on activities undertaken to implement this policy in 2020 for inclusion in this report.
National Plan for the Prevention and Combat of Trafficking in Persons (2020–2024)†	Approved in December 2020, aims to guide government prevention, response, and protection actions and establish prosecution and penalty guidelines. Also prioritizes institutional capacity building and coordination. (1,58,59)

† Policy was approved during the reporting period.

The government developed a National Plan for Childhood and Adolescence 2020–2024 that was finalized in December 2020 and included general provisions addressing child labor. However, public controversy over language pertaining to gender equality and sex education resulted in the Ministry of Adolescents and Children moving to redraft the plan. (1)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Immediate Response Network†	Program created to provide support to street children. Under the " <i>Dispositivo de Respuesta Inmediata</i> ," MINNA employees with a range of specializations, including psychologists and social workers, respond to tips from the MINNA hotline for reporting mistreatment, sexual abuse, sexual exploitation, and negligence of children, as well as information from roving street patrols in high-risk areas. (3) In 2020, MINNA established an offshoot of this program to cater specifically to street children, " <i>DRI-Calle</i> " or " <i>DRI-Street</i> ". The establishment of <i>DRI-Street</i> allowed the original <i>DRI</i> Program, now called <i>DRI Network</i> , to focus on broader issues of children's rights. <i>DRI-Street</i> works closely with the ongoing <i>Embrace Program</i> . (1)
Embrace Program ( <i>Programa Abrazo</i> )†	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. (2,62) In 2020, MINNA worked with local institutions to both open new <i>Embrace Program</i> attention centers for street children and to strengthen services at existing centers. MINNA collaborated with the Diocese of Encarnacion to bring online the <i>Open Protection Center Añua-San Cristobal</i> and worked with <i>Villeta Municipality</i> to run <i>Embrace Program</i> services from the <i>Villeta Community Center</i> for the first time. (1) Although the pandemic forced MINNA to suspend in-person program services in March and April, the program adjusted by providing home deliveries of food assistance to vulnerable families and these deliveries continued even after in-person services resumed. The program also began providing "micro-social insurance" monetary assistance to vulnerable families who experience illness, accidents, or deaths to help relieve economic strain. (1)
Well-Being Conditional Cash Transfer Program ( <i>Tekoporã</i> )†	Government-administered program through the Secretariat for Social Action. Provides conditional cash transfers to families in rural communities. (11) Incorporates aspects of the <i>Embrace Program</i> , such as the family monitoring methodology, to ensure participant children do not engage in child labor. (64) The program continued to assist families during the reporting period. (51)

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

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 <a href="#">Attaining Lasting Change (ATLAS)</a> , a \$7.5 million project that aims to build the capacity of host governments to more adequately combat child labor, forced labor, and human trafficking; and <a href="#">Paraguay Okakuaa (Paraguay Progresses)</a> , a \$7.5 million project implemented by Partners of the Americas. (60,61) In 2020, MTESS worked with the Okakuaa program to hold a series of 6 workshops on forced labor for 124 public and private sector stakeholders. These workshops offered information on institutional strengthening and trafficking in persons prevention. (1,52) In June 2020, Okakuaa also held a social media awareness campaign for World Day Against Child Labor, encouraging community members to call their local CONAETI to report instances of child labor. (52) For additional information, please see our <a href="#">website</a> .

† Program is funded by the Government of Paraguay.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (2,3,62,65,66)

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, but NGO and government officials report that compensation takes too long to be helpful. (11,14,23,37) 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 funding in 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. (1,9,14)

## 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 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 – 2020
	Raise the minimum age for work to the age of completion of compulsory education.	2018 – 2020
	Protect children from the abuse of the <i>criadazgo</i> system by ensuring that working conditions meet international standards.	2019 – 2020
Enforcement	Strengthen the labor inspectorate by authorizing inspectors to determine and assess penalties for child labor violations.	2016 – 2020
	Strengthen the labor inspectorate by making labor inspectors public officials rather than contractors and ensuring that they receive more training specific to child labor.	2017 – 2020
	Increase the number of labor inspectors to meet the ILO’s technical advice.	2009 – 2020
	Increase the funding and resources available to the labor inspectorate, specifically in the Chaco region, to build enforcement capacity to address child labor in the informal sector, including in agriculture, and domestic work.	2009 – 2020
	Implement the 2016 agreement to accelerate authorization of workplace inspection search warrants to improve the cooperation mechanisms among judicial authorities and labor enforcement officials.	2013 – 2020
	Publish information on how many violations of child labor were found through criminal investigations.	2020
	Increase efforts to prosecute crimes related to the worst forms of child labor, including by hiring and training more specialized criminal investigators and prosecutors, and by increasing penalties for crimes.	2012 – 2020
	Provide resources to enable more criminal investigations in remote areas.	2012 – 2020
Ensure that fines and penalties for the worst forms of child labor are consistently applied.	2019 – 2020	

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that the Inter-Institutional Working Group on Preventing and Combating Trafficking in Persons fulfills its mandate, including in collecting and reporting statistics.	2018 – 2020
	Strengthen inter-agency 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 – 2020
	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 – 2020
Government Policies	Publish information on activities taken under all key policies related to child labor during the reporting period.	2020
Social Programs	Further expand government programs to assist more families and children affected by child labor in agriculture in rural areas, including cattle herding, and domestic work.	2010 – 2020
	Increase access to education for children vulnerable to child labor, particularly children with disabilities, children living in rural and indigenous communities with language barriers, and girls who leave school early. Address the lack of infrastructure, staff, and transportation to improve access to education for all children.	2014 – 2020
	Ensure that financial assistance programs for child trafficking and forced labor victims are properly funded.	2018 – 2020

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In 2020, Peru made significant advancement in efforts to eliminate the worst forms of child labor. The government passed Law 31047, which set the minimum age for domestic work at 18 years. The labor inspectorate also carried out joint inspections with the police to identify children working in dangerous conditions in Lima's garment district. In addition, a regional ordinance was enacted to create provincial and district commissions to fight trafficking in persons, migrant smuggling, and forced labor in the Arequipa Region. The Ministry of Labor granted the Child Labor Free Seal certification to seven socially responsible businesses that produce agricultural export goods. The Street Educators program also assisted over 6,000 children. However, children in Peru are subjected to 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. Also, labor law enforcement agencies in Peru lack sufficient inspectors and training to adequately combat child labor, and the government did not provide complete information on labor or criminal enforcement efforts against the worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Peru are subjected to 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 highland and jungle regions than in the coastal region, and also 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.

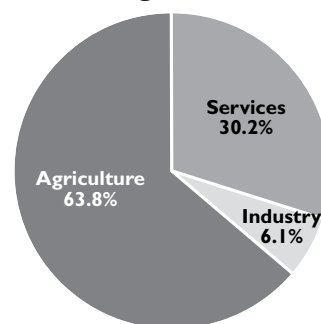
**Table 1. Statistics on Children's Work and Education**

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 (%)		98.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Encuesta de Trabajo Infantil (ETI), 2015. (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	Transplanting and harvesting rice, and 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† (1,6,8-10)
	Logging† timber and clearing forestland for mining, including cutting down and burning trees (1,9-12)



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

Sector/Industry	Activity
Industry	Mining,† including for silver and gold (3,9,11,13)
	Production of bricks† and fireworks†, construction, and metal manufacturing (3,9-15)
Services	Street work,† including vending, begging, shoe shining, carrying loads, selling in kiosks and markets, collecting fares on public buses,† and washing cars (1,3,9,10,16)
	Treating leather, repairing shoes, and tailoring work (3,17)
	Repairing motor vehicles†(12)
	Garbage scavenging†(11)
	Working in restaurants, domestic work† and cleaning offices and hotels (3,10,11,13)
Categorical Worst Forms of Child Labor‡	Forced labor in mining, including for gold (9,10,12-20)
	Forced labor in logging timber, street vending, and begging (9,10,13,19-21)
	Forced domestic work, sometimes as a result of human trafficking (2,9,10,13,19)
	Commercial sexual exploitation, including in bars, nightclubs, brothels, and mining camps, each sometimes as a result of human trafficking (2,9,10,12)
	Growing and processing coca (stimulant plant), sometimes as a result of human trafficking, and transporting drugs (2,6,9,10,13)
	Counterfeiting U.S. dollars and lightbulbs (1,2,22)
	Recruitment of children by non-state armed groups for use in armed conflict (2,10,13)

† 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.

Children in Peru work in informal and small-scale mining, particularly for gold, sometimes in situations of forced labor. These children are exposed to hazards, including mercury and harmful gases, wall and mine collapses, landslides, and explosives accidents. (2,9,12,20,23) Communities located near illegal mining operations are often isolated and lack a permanent government presence, increasing the likelihood of child trafficking and the use of children for commercial sexual exploitation. (2,9,12,20,24,23) Young girls from Colombia, Ecuador, and Venezuela are also subjected to commercial sexual exploitation, domestic work, and forced labor in mining regions of Peru. (25) In addition, remnants of the Shining Path terrorist group continue to use children in combat, domestic servitude, and drug trafficking. (9,10,20) Some children are also subjected to forced labor in support of narco trafficking, including by using hazardous chemicals to process coca or working as drug couriers. (9,10)




In-person education was suspended in 2020 due to the COVID-19 pandemic, which led to an increase in school dropout rates. (10) Only 1 in 3 households in Peru had a home computer in 2020, making virtual learning difficult. (26) As of September, 230,000 primary and secondary students dropped out, while an additional 200,000 secondary enrolled students were not attending school. (10) In June, the dropout rate increased to 3.5 percent for primary students compared to 1.3 percent in the previous year, and to 4 percent from 3.5 percent for secondary-enrolled students. (10)

The Ministry of Education also struggled to provide free public education due to the surge of an estimated 170,000 Venezuelan refugee and migrant children over the last 3 years. Structural problems such as limited class sizes, long distances to schools, and lack of necessary documentation also hindered education access for many refugee and migrant children, and may have exacerbated their vulnerability to child labor and human trafficking. (9,10,27,28) Moreover, retention of the Venezuelan students who gained access to the education system was often impacted by their families’ lack of economic resources and sustainable livelihoods. (10) This situation was aggravated in 2020 by the pandemic and its economic consequences, which hit the vulnerable Venezuelan migrant population particularly hard. (10)

## 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 (29)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Child and Adolescent Code (30)
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 (30,31)
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 (30,32-35)
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; Article 153 of the Law that Perfects the Typification of the Crime of Trafficking of Persons (30,32-34)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 4 of the Child and Adolescent Code; Articles 153, 153-H, 153-J, and 179-183-B of the Penal Code; Article 1 of Law 30963 Modifying the Penal Code (30,33,36,37)
Prohibition of Using Children in Illicit Activities	Yes		Articles 128 and 297 of the Penal Code; Law 28190 Protecting Children and Adolescents from Begging (33,38)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Articles 2, 6, and 42 of the Military Service Law (39)
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(35,40,41)
Free Public Education	Yes		Article 17 of the Constitution; Article 4 of the General Education Law (35,40)

‡ Age calculated based on available information (35,40-42)

In 2020, Congress passed Law 31047, which set the minimum age for domestic work at 18 years. (10,43) The National Steering Committee for the Prevention and Eradication of Child Labor (CPETI) also approved a proposal to update Peru's hazardous work list. (10)

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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. (9,29) 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. (30,35,40,41)

### 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 enforcement agencies 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 Promotion of Employment (MTPE)	Sets national policies and guidelines for labor law enforcement, including for inspections. (44) Maintains an online reporting service to receive complaints of labor law violations. Responsible for supporting the National Labor Inspection Superintendency (SUNAFIL), which enforces labor laws in 21 regions by inspecting workplaces with more than 10 registered workers and referring cases of child labor to the Ministry of Women and Vulnerable Populations (MIMP) and the Public Ministry, as appropriate. (1,10,45-47) MIMP provides social services to children found in the worst forms of child labor and refers cases to the MTPE. (9) SUNAFIL maintains a dedicated unit of 10 inspectors who target forced labor and child labor violations and who train other inspectors on these topics. (1,47,48) In 2020, 5 more regional SUNAFIL offices were established in Apurímac, Ucayali, Huancavelica, and Tacna, expanding the reach of the labor inspectorate to cover all 26 subnational entities of Peru. (10,49) Regional Directorates for Labor consist of one representative of the regional government, one representative of MTPE, and one representative of SUNAFIL. These directorates operate in regions without a SUNAFIL office and conduct inspections in workplaces with fewer than 10 registered workers. (50) The MTPE implements the child labor free supply chains program "Child Labor Free Seal" ( <i>Sello Libre de Trabajo Infantil</i> or SELTI) to help agricultural producers comply with child labor laws, including in rural agricultural zones that are difficult for the labor inspectorate to regulate. (51) To verify that supply chains are child labor free, the MTPE has established an evaluation council that includes an external auditor to conduct independent external verifications. (52)
Ombudsman's Department for Children and Adolescents (DEMUNA)	Coordinates government policies and programs that target children and adolescents and helps the MTPE investigate child labor complaints. (10) Operates 28 offices nationwide. (15) Works also collaboratively with local municipal officials, including police, under the Municipal Management Model's referral protocol, to ensure adolescents who are removed from hazardous work receive appropriate social services. (51)
Public Ministry	Coordinates with MTPE, SUNAFIL, and the National Police to investigate and prosecute criminal violations of child labor laws. Maintains a specialized human trafficking prosecutorial unit in the Public Prosecutor's Office. (10,53)
Ministry of the Interior (MININTER)	Investigates child trafficking cases and maintains a hotline to receive reports of human trafficking. (10,13) Provides victims and the public with information on human trafficking, refers cases of human trafficking to relevant government offices, and coordinates services for victims. (13) Within MININTER, the 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 ( <i>Dirección Contra la Trata de Personas y Tráfico Ilícito de Migrantes</i> or DIRCTPTIM). Coordinates with the Public Ministry and MIMP to place rescued minors with family members or state social services. (1,2) PNP's Trafficking in Persons Directorate has approximately 150 investigators. (9) Municipal police also use the <i>Semilla</i> Project's Municipal Management Model to work collaboratively with DEMUNA to remove children and adolescents from hazardous work. (51)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Peru took actions to combat child labor (Table 6). However, gaps exist within the operations of the Ministry of Labor and Promotion of Employment (MTPE) 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	2019	2020
Labor Inspectorate Funding	\$52,000,000 (9)	\$55,500,000 (10)
Number of Labor Inspectors	607 (9)	822 (10)
Inspectorate Authorized to Assess Penalties	Yes (44)	Yes(44)

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

Overview of Labor Law Enforcement	2019	2020
Initial Training for New Labor Inspectors	Yes (9)	Yes (10)
Training on New Laws Related to Child Labor	Yes (9)	Yes (10)
Refresher Courses Provided	Yes (9)	Yes (10)
Number of Labor Inspections Conducted	55,928 (9)	74,502 (49)
Number Conducted at Worksite	Unknown (9)	48,676 (49)
Number of Child Labor Violations Found	26† (9)	63 (49)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	61 (49)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	Unknown (10)
Routine Inspections Conducted	Yes (9)	Yes (10)
Routine Inspections Targeted	Yes (9)	Yes (10)
Unannounced Inspections Permitted	Yes (55)	Yes (55)
Unannounced Inspections Conducted	Yes (9)	Yes (10)
Complaint Mechanism Exists	Yes (9)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (10)

† Data are from March to October 2019.

During the reporting period, the National Labor Inspection Superintendency (SUNAFIL) inspections focused primarily on compliance with pandemic-related workplace measures. (10) However, in January of the reporting period, SUNAFIL carried out a joint inspection with agents of the anti-trafficking police unit (DIRCTPTIM) and the Municipality of La Victoria, identifying four children ages 10–14 working in dangerous conditions in a garment factory. (10,20) Although the inspection budget has increased each year, experts have noted that funding remains inadequate to carry out sufficient inspections. (9,10,47) SUNAFIL also prohibits inspectors from conducting follow up programmed inspections of any given worksite within the same year. (56) Information about the collection of fines for child labor violations was unavailable for the 2020 reporting period. (10)

In 2020, the government continued to promote a municipal model for the detection and eradication of child labor. This model incorporates child labor identification criteria during labor inspections carried out by municipalities. (10) As of 2020, there were five districts that have implemented this model: Pichanaki, Chanchamayo, Concepción (Junín department), Villa Rica (Pasco department) and Comas (Lima department). Because of this effort, a total of 132 cases have been identified and 97 interventions have been made. (10)

During the reporting period, SUNAFIL worked with the Public Ministry to provide virtual training on child labor to 4,800 workers and employers. (10) Sector-specific trainings were also conducted, including for fishing companies in Áncash Province, in which the fishing port of Chimbote is located. (10) Moreover, in November, SUNAFIL engaged with 1,000 high school students from 20 schools in Callao, raising awareness on child labor. (10) However, civil society and labor sector experts reported that training for SUNAFIL's labor inspectors was not adequate. (10) While all labor inspectors receive regular training on child labor and forced labor, SUNAFIL reported that it was working on expanding this training to more inspectors. (47)

The government significantly increased the number of labor inspectors it employed in 2020, from 607 inspectors in 2019 to 822. (10) However, 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 employ about 1,135 inspectors. (57,58) 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. (59) Auxiliary inspectors must have full inspectors supervise their inspection processes and review their inspection acts for any businesses with more than 10 employees. (59,60) 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. (60)

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### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Peru 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 financial resource allocation.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (9)	Unknown (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (9)	Unknown (10)
Refresher Courses Provided	Yes (9)	Unknown (10)
Number of Investigations	Unknown (9)	Unknown (10)
Number of Violations Found	Unknown (9)	20 (49)
Number of Prosecutions Initiated	Unknown (9)	Unknown (10)
Number of Convictions	Unknown (9)	Unknown (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (61)	Yes (62,63)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (10)

The MININTER reported that its anti-trafficking police unit conducted 65 operations in 2020, resulting in 640 victims rescued, including 503 females (118 of them minors) and 137 males who were minors. Roughly half of these operations took place in January and February, before the onset of the pandemic lockdown. (20) In 2020, the government convicted two individuals for crimes related to the commercial sexual exploitation of children. One individual received a sentence of 25 years in prison for luring a 13 year old through social media and forcing her into prostitution, and another was sentenced to 1 year for using a 14 year old in the production of child pornography. (62,63) Despite these efforts, the government provided limited criminal law enforcement data for the 2020 reporting period. Previous research has indicated that investigations and prosecutions were inadequate to deter child trafficking, particularly in illegal mining areas and bars. Moreover, reports noted too few investigators, insufficient funding or resources to carry out investigations, low conviction rates, and inadequate training for MTPE investigators, police, and members of the judicial system. (2,9,13,15,19,23)

In 2020, the Attorney General hired four new trafficking in persons prosecutors in Arequipa, Huánuco, La Libertad, and Piura. This raised the total to 39 specialized trafficking prosecutors in 12 regions across the country. (20) Peruvian National Police (PNP) also participated in three virtual trainings led by the MOI in 2020, including one on investigating human trafficking crimes under the criminal code. (20)

There is an insufficient number of shelters for victims of the worst forms of child labor throughout the country, including shelters to serve boys. In addition, there is a lack of specialized services for victims of human trafficking. (2,19,20,23,64)

## **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 creation and implementation of action plans under the Regional Commissions for the Prevention and Eradication of Child Labor.



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

Coordinating Body	Role & Description
National Steering Committee for the Prevention and Eradication of Child Labor (CPETI)	Implements the National Strategy for the Prevention and Eradication of Child Labor, which includes the <i>Semilla</i> Project as one of its three national pilot projects. (1) 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. (42) Led by MTPE, comprises representatives from 17 government agencies, including MININTER; the Ministries of Education and Justice; PNP; and business associations, unions, and NGOs. (42) In 2020, it coordinated virtually and through messaging platforms, due to COVID-19 pandemic-related in person meeting restrictions. It also coordinated online training sessions covering 22 of the 25 Regional Commissions for the Prevention and Eradication of Child Labor. (10)
Regional Commissions for the Prevention and Eradication of Child Labor	Manage and implement regional public policy for the prevention and eradication of child labor. Present in all 25 regions of Peru. (65) In 2020, the 25 regional commissions participated in a launch event to recognize Peru as a Pathfinder Country of Alliance 8.7, a global initiative to eradicate forced labor, modern slavery, human trafficking and child labor. Eighteen department-level commissions also participated in the event through video conferencing. (10) However, 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. (1,6,21)
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 MTPE, with the participation of eight additional government ministries. (1) Research was unable to determine whether this coordinating body was active during the reporting period.
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 and includes representatives from regional governments and six national government agencies, including the Ministry of Energy and Mines and MININTER. (66) Research was unable to determine whether this coordinating body was active during the reporting period.
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, and the provision of services to victims. Chaired by MININTER, comprises 13 government agencies and 2 NGOs. (10,20) The Commission and the Ministry of Finance and Economy missed the deadline of September 2019 to produce a multi-sectoral anti-trafficking budget, which contributed to anti-trafficking budget cuts across government ministries in 2020, including MININTER. (13) This coordinating body resumed activities in February 2021 after a period of inactivity due to the pandemic and political stability in 2020. (49)

‡ The government has other coordinating mechanisms that may have addressed child labor issues or had an impact on child labor. (9)

In December 2020, a regional ordinance was enacted which established the creation of provincial and district commissions to fight trafficking in persons, migrant smuggling, and forced labor in the Arequipa department. (20,67) Also in December 2020, the government held the "Southern Macro Regional Forum: Good Practices and Experiences in Combatting Human Trafficking in the COVID-19 Context", during which regional governments shared experiences with human trafficking in their communities. (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 a lack of information on activities taken under these policies during the reporting period.

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**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. (1,16,65) Also seeks to improve the quality of child labor data in Peru. (16) During the reporting period, the implementation of the Child Labor-Free Seal (SELT) certification program continued under the auspices of this national strategy, with participants consisting of approximately 450 family run agricultural producers. In addition, as of February, the MTPE granted the SELT certification to seven businesses that produce agricultural export goods (mostly coffee and cocoa) in the Junin region. (10)
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. (1,54,65) Research was unable to determine whether activities were taken under this policy in 2020.
National Plan to Combat Forced Labor (2019–2022)	Establishes policies and priorities for combating forced labor, including programs focusing on vulnerable populations, such as children. (65,68) Research was unable to determine whether activities were taken under this policy in 2020.
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. (65,69) Research was unable to determine whether activities were taken under this policy in 2020.
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. (1,2,70,71) Emphasizes the needs of human trafficking victims through a dedicated Victim Reintegration Plan. (1,2) Research was unable to determine whether activities were taken under this policy in 2020.

In 2020, the government drafted an updated version of the National Action Plan for Human Rights, which includes child labor issues. As of the time of this report, this updated plan is pending final approval. (10)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 efforts to address child labor in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Educational Programs†	The <i>Carabayllo</i> 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. (53) The government did not provide information on activities taken under this project in 2020 for inclusion in this report. The Secondary Tutorial Program is a rural basic education program supported by the Ministry of Education that includes school meal plans ( <i>Qali Warma</i> ) for rural students throughout the country, including hard-to-reach indigenous communities. (51) Research was unable to identify specific actions taken during the reporting period under this program.
Learn Program ( <i>Yachay</i> )†	MIMP program to increase access to social services for children subjected to street work, begging, and commercial sexual exploitation. The Street Educators ( <i>Educadores de Calle</i> )† program is part of the broader <i>Yachay</i> Program and provides counseling and training to children engaged in child labor, begging, and street work. Operates 68 centers at the national level for educational activities, parent training, and workshops. (1,6,72) Connects working children and their families to educational and social services to withdraw them from exploitative work and improve family welfare. (9,72-75) In 2020, the Street Educators program reported assisting 6,795 children, including 1,304 children during the height of the pandemic. (10) The educators proactively identified spaces in which children were living either fully or partially on the streets and assessed needs to connect these children with social services. (49)
Together Program ( <i>Juntos</i> )†	Ministry of Development and Social Inclusion program that provides cash transfers to approximately 763,000 low-income households in 15 of the country's 25 regions. (1,6,76) This program continued to provide cash transfers in 2020, including through the strongest quarantine measures of the pandemic. (49)
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. Include: <u>Promoting Better Understanding of Indicators to Address Forced Labor and Labor Trafficking in Peru</u> , a \$2 million, 4 year project implemented by <i>Capital Humano y Social Alternativo</i> (CHS); <u>Proyecto Semilla (Seed Project): Combating Exploitative Rural Child Labor in Peru</u> , a \$16.25 million, 8 year project implemented by <i>Desarrollo y Autogestión</i> ; <u>Engaging Workers and Civil Society to Strengthen Labor Law Enforcement</u> , a \$2.8 million, 3 year project implemented by the American Center for International Labor Solidarity; and <u>From Protocol to Practice: A Bridge to Global Action on Forced Labor (The Bridge Project)</u> , a global project implemented by ILO. For additional information, please see our <a href="#">website</a> . (51,77-80)

† Program is funded by the Government of Peru.

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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. (6,81,82)

## 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 I I).

**Table I I. 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 younger than age 18 by non-state armed groups.	2016 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor.	2017 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Publish information on labor law enforcement efforts, including whether penalties for violations were collected.	2015 – 2020
	Increase the level of funding and the resources allocated for labor and criminal law enforcement efforts related to the worst forms of child labor.	2015 – 2020
	Ensure that inspectors and criminal law enforcement personnel are properly trained on child labor and forced labor issues.	2019 – 2020
	Ensure adequate enforcement of child labor laws.	2009 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2019 – 2020
	Remove the "auxiliary inspector classification" to increase efficiency in the labor inspection process.	2017 – 2020
	Ensure that there are sufficient shelters, including shelters for boys, and specialized services available for victims of human trafficking.	2019 – 2020
	Ensure that fines are collected to deter future child labor violations.	2015 – 2020
	Publish information on training for criminal investigators, the number of investigations conducted, prosecutions initiated, and convictions.	2015 – 2020
	Ensure that criminal law enforcement officials conduct adequate investigations in mining areas and bars and initiate prosecutions when violations are found to deter perpetrators of the worst forms of child labor.	2016 – 2020
	Coordination	Ensure that Regional Commissions for the Prevention and Eradication of Child Labor develop action plans to combat child labor and allocate sufficient funding to implement these plans.
Ensure that key coordinating bodies related to the worst forms of child labor are active and publish information on annual activities.		2020
Ensure that efforts to address trafficking in persons are fully funded by approving the multi-sectoral anti-trafficking budget.		2019 – 2020
Government Policies	Ensure that key policies related to the worst forms of child labor are active and that information on annual activities is published.	2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children, regardless of documentation, in particular migrant and refugee communities.	2014 – 2020
	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.	2009 – 2020
	Publish information on activities taken under all social programs that address child labor.	2018 – 2020

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In 2020, the Philippines made moderate advancement in efforts to eliminate the worst forms of child labor. The government convicted and sentenced to life imprisonment a U.S. citizen for "large-scale qualified trafficking in persons," making it the first online sexual exploitation of children conviction of a foreigner in the country and enabling the largest seizure of digital evidence to date. The government also established the Philippine National Multi-Sectoral Strategic Plan on Children in Street Situations to address the needs of street children. In addition, the House of Representatives passed House Bill No. 7836, which will raise the age of sexual consent from age 12 up to age 16, while eliminating a provision in the Penal Code that protected rapists from penalty if they proposed marriage to their victims. However, children in the Philippines are subjected to 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, it did not adequately protect children allegedly engaged in drug trafficking from inappropriate incarceration or physical harm during detention. The government also did not ensure that children released from custody were placed in accredited rehabilitation centers. In addition, the government failed to take law enforcement action against officials who facilitated the production of fraudulent identity documents or were otherwise complicit in human trafficking. Moreover, the enforcement of child labor laws remained challenging throughout the country, especially due to the low 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 are subjected to 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. (1-3) The Survey on Children indicated that 2.1 million children ages 5 to 17 engage in child labor, of whom approximately 2 million engage in hazardous work. (4-6) Table I provides key indicators on children's work and education in the Philippines.

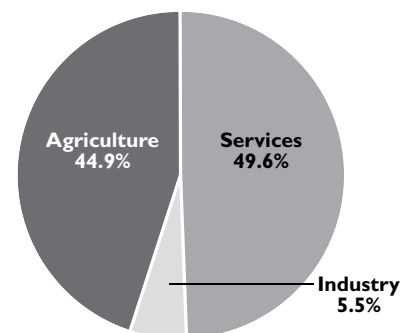
**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	2.0 (466,708)
Attending School (%)	5 to 14	95.5
Combining Work and School (%)	7 to 14	2.1
Primary Completion Rate (%)		105.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2019. (8)

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



# Philippines

## 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 sugarcane,† including growing, weeding,† harvesting,† cutting,† and carrying sugarcane bundles† (2,3,9)
	Growing bananas, coconuts, corn, rice, rubber, and tobacco (2,3,12,13)
	Deep-sea fishing† (2,3,15)
Industry	Mining† and quarrying,† including for gold (2,3,15,16)
	Manufacturing pyrotechnics† (2,3,15)
	Construction,† activities unknown (2,3)
	Production of fashion accessories (2,3)
Services	Domestic work (2,3,19,20)
	Street work, including scavenging, selling flowers, and begging (2,3,5,21)
	Scavenging in dumpsites† and in rivers (15)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (2,3,5,22-25)
	Forced labor, including domestic work, sometimes as a result of human trafficking (3,25,27)
	Recruitment of children by non-state armed groups for use in armed conflict (2,3,28,29)
	Forced begging (2,3,5,30)
	Use in illicit activities, including in the distribution, procurement, and sale of drugs, including methamphetamine ( <i>shabu</i> ) (2,3,30-32)

† 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.

Children, primarily girls, from rural communities are subjected to trafficking domestically in urban centers and tourist destinations for the purposes of domestic work and commercial sexual exploitation. (22,23,25,27,33) While evidence indicates that the availability of child sex trafficking victims in commercial establishments declined in some urban areas, child sex trafficking remains a pervasive problem, typically abetted by taxi drivers who have knowledge of clandestine locations. (33) Traffickers also lure children from remote areas on Mindanao and other regions by using tourist visas available in Middle East countries, where many Filipinos work in household service jobs, and then sell the children to employment sponsors who exploit them. (27,33-35) Traffickers are able to circumvent the Philippine Government and destination countries’ regulatory frameworks for foreign workers and evade detection by using student and intern exchange programs and fake childcare positions. In addition, traffickers take advantage of porous maritime borders to avoid detection. (33)

Research indicates that the Philippines remains one of the top global Internet sources of online sexual exploitation of children (OSEC), which continues to be a highly profitable and growing sector due to increased access to Internet connectivity. A study found that OSEC cases tripled—reflecting a 250 percent increase—from 2014–2017. (20,25,27,33-44) In cases of OSEC, children are induced to perform sex acts at the direction of paying foreigners and local Filipinos for live Internet broadcasts that usually take place in small Internet cafes, private homes, or windowless dungeon-like buildings commonly known as “cybersex dens.” (3,20,25,27,33,38-40,44) Increasingly, women have been found to be perpetuating OSEC crimes, motivated by mostly financial incentives, with data indicating that upwards of 87 percent of OSEC cases involve a female trafficker known to the victims, most commonly the mother. (27,37,38)

According to data from March 1–May 24, 2020, the Philippines Department of Justice’s Office of Cybercrimes received 279,166 reported cases of OSEC from the U.S. National Center for Missing and Exploited Children, which is a significant (264 percent) increase from the 76,651 reported OSEC cases from the same timeframe in 2019. There were 36 confirmed cases of OSEC in 2020. (45) Recent surveys indicated an increase in the number of unconfirmed OSEC cases during the reporting period, fueled in large part by movement restrictions, and children having access to the Internet while being at home with their abusers during the COVID-19 pandemic lockdown. (5,27,36,38,41,43,46) A report released in 2020 concluded that the Philippines had become a global hub for OSEC due to high international and domestic demand, vulnerabilities in the financial system, and gaps in existing legislation. (27,47) In response to the increase in reported OSEC cases during the

reporting period, the government filed House Resolution No. 1336 (H.R. No. 1336) which, when passed, will require the House Committee on the Welfare of Children and all other applicable committees in the House of Representatives to research the prevalence of OSEC cases reported during the pandemic. (42)

Recruitment of child soldiers by non-government militias and terrorist organizations, predominately on the southern island of Mindanao, remains a concern. (2,3,5,25,28,29,33,44,48) Research also suggests that these non-state armed groups, including the New People's Army, the Abu Sayyaf Group, and the Bangsamoro Islamic Freedom Fighters continue to recruit children—sometimes by force—from schools for use in combat and non-combat roles, including as human shields, cooks, and fighters, while offering religious education and material incentives to join. (2,3,20,25,27,33,44,48) In addition, the Islamic State reportedly subjects women and girls to sexual slavery. (33) The Government of the Philippines continued to convene formal coordination meetings with the UN on incidents of grave violations against children to facilitate appropriate responses to such situations. (3,25,49)




According to results from a 2020 survey on child labor, children were found to work on sugarcane plantations and rice fields in Luzon; as vendors, tricycle drivers, and carwash crew in Cavite; as plastic and paper scraps scavengers in Caloocan City; and as factory workers for slipper production in Laguna. Children from areas impacted by Typhoon Haiyan in Visayas in 2013 were reportedly forced to work as domestic helpers and as “traffic enforcers” to aid in high-construction areas post-typhoon, while children from indigenous communities in Mindanao worked on corn plantations. (5,50) Furthermore, a survey conducted by the Philippine Statistic Authority, in conjunction with the Department of Labor and Employment (DOLE), found that over 50,000 out of 1.4 million domestic workers were minors and 4,900 were under the age of 15. It also reported that 95 percent of all child laborers were found to be engaging in conditions of hazardous work. (5,19) The Philippine Statistics Authority included a child labor module in the October 2017, 2018, 2019, and 2020 rounds of the Labor Force Survey, but the results have yet to be released. (5)

Although the Constitution establishes free, compulsory education through age 18, unofficial school-related fees, such as for school uniforms, are prohibitive for some families. Other barriers to education include substandard infrastructure which makes traveling and access to schools challenging, especially for children in rural areas, and architectural barriers that pose challenges for children with disabilities. (44) The most recent Functional Literacy, Education and Mass Media Survey, published in 2015 with 2013 data, indicated that 10.6 percent of all school-age children did not attend school. (2,5) The more recent Annual Poverty Indicator Survey, published in 2018 with 2017 data, estimated that of the 44 million school-age children (ages 3 to 19), one-third were not enrolled in or attending school, with the highest percentage of those children living in the newly formed Bangsamoro Autonomous Region in Muslim Mindanao (BARMM). In an effort to combat this and to help facilitate youth school attendance, BARMM authorities provided the Ministry of Basic, Higher, and Technical Education the largest share of its budget for calendar year 2020. (3,5,44,51)

## 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	✓

# Philippines

## MODERATE ADVANCEMENT

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in the Philippines' legal framework to adequately protect children from the worst forms of child labor, including having the compulsory education age 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	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 (52-54)
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 (53-55)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Department Order 149 and 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 (2,54-57)
Prohibition of Forced Labor	Yes		Sections 4 and 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 (55,58)
Prohibition of Child Trafficking	Yes		Sections 3(a), 4(k), 5, and 10 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 (55,58)
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 (55,59-61)
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 (55,62)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 12 of 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 (63)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes*		Section 14 of 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 (63)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Sections 12-D and 16 of the Special Protection of Children Against Abuse, Exploitation, and Discrimination Act (55)
Compulsory Education Age	Yes	18‡	Section 4 of the Enhanced Basic Education Act (64)
Free Public Education	Yes		Section 2 of the Philippine Constitution (65)

\* No conscription (63)

‡ Age calculated based on available information (64)

For a third year, the Government of the Philippines reportedly continued reviewing proposed amendments to R.A. No. 9231 that would: (a) increase the minimum age of employment from age 15 to age 16, (b) devolve the issuance of child work permits to local government units, (c) institute stricter working hours for children, (d) mandate that part of the money legally earned by children be set aside in a trust fund, (e) authorize DOLE to determine the types of non-hazardous agricultural employment or work that children ages 16 to 18 can perform, and (f) design a holistic intervention program for children working in the informal economy. It is unclear what progress was made in 2020 toward passing these amendments. (2,3,5)

During the reporting period, the government filed several House and Senate Bills dealing with the worst forms of child labor. These included: House Bill No. 6015, which aims to provide stiffer penalties for violations of Republic Act No. 9231 by imposing both imprisonment and a fine for every instance a child is engaged in employment other than what is stated in the law; House Bill No. 6923, which seeks to prevent, respond to, and



end OSEC, and will create an inter-agency council on OSEC that will serve as a monitoring body on initiatives related to the crime; House Bill No. 7465 which will amend the term “child pornography” to “sexual abuse or exploitation of children;” Senate Bill No. 1929, which aims to recognize and include online and digital platforms as methods used to commit trafficking in persons, and further expands the definition of trafficking in persons crimes to include OSEC; and House Bill No. 7836, which will raise the age of sexual consent from age 12 up to age 16, and eliminate a provision in the Penal Code that protected rapists if they proposed marriage to their victim. (5,66-68)

In response to continued reports of recruitment and use of child soldiers by non-state armed groups in the Bangsamoro Autonomous Region in Muslim Mindanao, the government passed legislation and issued regulations to ensure special protection for children in situations of armed conflict, mandated rehabilitation and services, and prescribed punishments. (33)

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. (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 authority of 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 and Employment (DOLE): Bureau of Working Conditions (BWC) and Bureau of Workers with Special Concerns (BWSC)	BWC enforces child labor and child trafficking laws and regularly trains inspectors and regional personnel. (2,5,23,25,27,69) Inspects establishments and monitors compliance with labor laws in the formal sector. (69) Manages DOLE enforcement activities registered by DOLE regional offices in the Labor Inspection Management Information System. (45) Oversees the 1349 hotline as a platform for reporting child labor-related complaints. (5) During the reporting period, closed three establishments in which investigations led to the identification of child sex trafficking victims. (5,33) Created a Systems Development Team to streamline its programs and services in relation to enforcement and monitoring of labor standards. Developed an Establishment Report System to provide access for establishments to comply with documentation requirements safely from home, as mandated by the Labor Code. (5,70,71) In addition, from January–October, issued 1,473 work permits to children under the age of 15 per Republic Act No. 9231. (5) BWSC oversees the Profiling Child Laborers Initiative. (3,72) Mandated to develop policies, programs, and systems that champion the development and protection of disadvantaged workers, by contributing to their decent and productive employment. Provides advisory and technical assistance to the Labor Secretary and Regional Offices. (73) During the reporting period, BWSC continued to profile child laborers nationwide (excluding the Bangsamoro Autonomous Region of Muslim Mindanao). From January–December, 11,083 children were profiled prior to the suspension of activities in March; 64,739 were referred for the provision of necessary services; 40,860 were provided with necessary services; and 51,671 were removed from child labor. (5)
Rescue the Child Laborers Quick Action Teams (Sagip Batang Manggagawa)	Detects, monitors, and rescues child laborers in hazardous, exploitative, or extremely abject working conditions. (2,3,5,30,74,75) An inter-agency, quick reaction mechanism that is chaired by DOLE-BWSC. (5) During the reporting period, led 7 rescue operations and removed 12 child laborers from child labor. (27) Signed a Memorandum of Agreement with respective national government agencies to define and coordinate specific roles for each agency. (5)
Criminal Law Enforcement Agencies: Philippine National Police (PNP), National Bureau of Investigation (NBI), Philippine Drug Enforcement Agency (PDEA)	Philippine National Police (PNP) investigate and prosecute cases related to the worst forms of child labor. (5) In the case of the Women and Children’s Protection Center (WCPC), enforces laws on child trafficking and commercial sexual exploitation of children, and has 269 personnel nationwide. (27) During the reporting period, created <i>Aleng Pulis</i> (Miss Police) to allow the public to contact for information and assistance related to trafficking in persons. (27) National Bureau of Investigation (NBI) investigates and prosecutes child labor cases and operates a national Task Force on the Protection of Women Against Exploitation and Abuse and a Task Force on the Protection of Children from Exploitation and Abuse. (2,27) Oversees the Anti-Human Trafficking Division, which investigates trafficking and illegal recruitment nationwide. (25) Philippine Drug Enforcement Agency (PDEA) enforces the Comprehensive Dangerous Drugs Act, maintains a national hotline for reporting cases of children used in illicit activities, and coordinates with the Department of Social Welfare and Development (DSWD) to assist during rescue operations. (2,5)

# Philippines

## MODERATE ADVANCEMENT

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

Organization/Agency	Role
Cybersecurity Law Enforcement Agencies: National Telecommunications Commission, Dept. of Justice—Office of Cybercrime, Philippines Internet Crimes Against Children Center (PICACC),* Dept. of Information and Communication Technology—Cybersecurity Bureau	National Telecommunications Commission enforces the Anti-Child Pornography Law. Coordinates with Internet Service Providers to block websites containing pornographic material involving children. (59,76) Department of Justice—Office of Cybercrime receives CyberTips reports from the U.S.-based National Center for Missing and Exploited Children regarding potential online sexual exploitation of children (OSEC) cases, conducts initial investigation into CyberTips, prioritizes cases, then sends cases to the PNP's Internet Crime Against Children Center for follow up. (77) Comprises legal and investigative divisions. (77) Philippine Internet Crimes Against Children Center (PICACC) aims to combat the online sexual exploitation of children. Comprises the PNP-WCPC Anti-Human Trafficking Division and NBI Anti-Human Trafficking Division, and aims to coordinate WCPC and NBI investigation of Internet crimes against children. (27,49,78) Coordinates international investigations with the United Kingdom's National Crimes Agency (UK NCA) and the Australian Federal Police (AFP). (24,25,41,78-82) Receives funding from the UK NCA, AFP, and the U.S. Government. (80,81) During the reporting period, in conjunction with the PNP-WCPC and the NBI Anti Human Trafficking Division, partnered with foreign law enforcement agencies and an NGO to improve the effectiveness of investigations of OSEC. PNP-WCPC also launched a hotline and text line for reporting and routing of OSEC cases to proper authorities. (27,33) Department of Information and Communication Technology—Cybersecurity Bureau provides preventative technological assistance to law enforcement and protects cybersecurity of Filipino citizens. (83) Oversees an anti-OSEC program comprising awareness-raising programs, computer software, website monitoring, cybersecurity, and a visible Internet application, a form of artificial intelligence that allows for remote screen access. Shows an educational anti-OSEC video for communities, in collaboration with the Philippines Online Corporation. (83) Coordinates efforts with the Inter-Agency Council Against Child Pornography and consults with telecommunications companies and civil society organizations to produce the National Cybersecurity Strategy. (61,83,84) Oversees, CyberSafePH, an awareness campaign and capacity-building program with a 3-year roadmap aimed at combating OSEC and cyberbullying. (25,33,85) During the reporting period, hosted webinars on OSEC and cyberbullying, developed a short-film entitled "Manila," and created a Cyber Chat Session Ender "#WeACTAsONE." (85) The launch of an online hotline to report OSEC cases in collaboration with the National Computer Emergency Response Team remained pending in 2020. (86)

\* Agency responsible for child labor enforcement was created during the reporting period.

DOLE's Department Order No. 216 (D.O. No. 216) requires private employment agencies, when applying for a license to operate, to provide a notarized Affidavit of Undertaking stating that the agency will not engage, tolerate, nor support any acts involving illegal recruitment, trafficking in persons, violation of anti-child labor laws, or crimes involving moral turpitude or other similar activities. DOLE also issued Department Order No. 217, which has the same prerequisites as D.O. No. 216, but is focused on domestic workers. (5)

In addition, the government passed three Labor Advisories to ensure that children were protected from the worst forms of child labor during the pandemic. They included: Labor Advisory No. 23, which allows a child under the age of 15 to participate in public entertainment and information programming provided the child works from home under the supervision of a parent or guardian; Labor Advisory No. 24 (L.A. No. 24), which allows a child between the ages of 15–18 to participate in public entertainment or information programming provided that the child works from home under the supervision of a parent or guardian; and Labor Advisory No. 24-A (L.A. No. 24-A), which replaced L.A. No. 24 and allows a child between the ages of 15-18 to participate on-camera, in studio, or on location shots for public entertainment and information programming, provided that the official minimum public health standards are strictly implemented. Furthermore, L.A. No. 24-A also provides the child the right to refuse work. (5)

During the reporting period, the Department of Justice implemented a pilot initiative with the aim of introducing measures and policies to address human trafficking in public procurement and supply chains. In October, the program held its first webinar introducing several anti-human trafficking initiatives in public procurement policy and supply chain management. The webinar also introduced government officials to modern slavery concepts and how government procurement policies can be used to combat human trafficking. (27)

A lack of resources, including staff and a centralized database for tracking illegal recruitment and human trafficking, is an area of concern within law enforcement agencies because it impedes their ability to act quickly upon complaints of child labor, including OSEC, in both investigations and prosecutions. (25,33)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in the Philippines took actions to combat child labor (Table 6). However, gaps exist within the authority of DOLE 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	2019	2020
Labor Inspectorate Funding	\$2,771,987 (45)	\$4,240,743 (45)
Number of Labor Inspectors	710 (3)	710 (5)
Inspectorate Authorized to Assess Penalties	No (53)	No (53)
Initial Training for New Labor Inspectors	Yes (3)	Yes (5)
Training on New Laws Related to Child Labor	Yes (3)	Yes (5)
Refresher Courses Provided	Yes (3)	Yes (5)
Number of Labor Inspections Conducted	70,298 (86)	13,974 (5)
Number Conducted at Worksite	Unknown (3)	13,974 (5)
Number of Child Labor Violations Found	Unknown (3)	4 (5)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (3)	4 (5)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (3)	Unknown (5)
Routine Inspections Conducted	Yes (3)	Yes (5)
Routine Inspections Targeted	Yes (3)	Yes (5)
Unannounced Inspections Permitted	Yes (3)	Yes (53)
Unannounced Inspections Conducted	Yes (3)	Yes (5)
Complaint Mechanism Exists	Yes (3)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (5)

During the reporting period, DOLE used technology for contactless inspection and continued implementing its strategy under DOLE's Department Order 183-17 (D.O. No. 183-17), which prioritizes the following establishments and workplaces for inspection: (a) those engaged in hazardous work; (b) those employing children; (c) those engaged in contracting or subcontracting agreements; (d) those employing 10 or more employees; (e) other establishments or industries determined by the DOLE Secretary for priority inspection. DOLE also added additional sectors slated for regular labor inspections, including: (a) companies employing foreign nationals—Philippine Offshore Gaming Operations, in particular; (b) ongoing construction projects; and (c) companies engaged in contracting and subcontracting such as security agencies. (5) Labor inspections were suspended from March 15 to May 31, 2020, due to the pandemic, but inspections arising from essential service complaints continued during this time. (5) This brief moratorium on labor inspections resulted in a significant decrease in the total number of inspections conducted in 2020, compared to 2019. (5)

Also during the reporting period, the Bureau of Working Conditions (BWC) received a budget of \$1.7 million specifically allocated for expenses related to labor law enforcement activities, including labor inspector training. An additional \$4.1 million was allocated to the BWC regional offices for administrative expenses, including for labor inspector travel and transportation costs, trainings, supplies and materials, and cellular data plan subscriptions, and does not include the budget for the salaries of the labor inspectors working outside of the National Capital Region. (5) Despite these allocations, enforcement of child labor laws remained 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. (2,3,15,30) The BWC also acknowledged that more specialized training on child labor is needed to enhance labor inspectors' ability to readily identify and act on child labor situations. (3,5)

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. (2,87,88)

# Philippines

## MODERATE ADVANCEMENT

During the reporting period, the Bangsamoro autonomous government provided \$400 for rehabilitation support to the families of 180 children found to have been involved in child labor in the agricultural sector. (5,89)

Scheduling routine inspections is based on the national target set by the DOLE Central Office. Regional offices implement inspections based on factors such as prevailing industries and geographical areas. (2,3,72) 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 and fishing, due to DOLE's lack of capacity and resources. (2,3,5,27,44,90) The Rescue the Child Laborers Quick Action Teams are permitted to conduct unannounced compliance visits to video karaoke bars, massage parlors, sauna and bathhouses, and farms, but they are not authorized to conduct visits to private homes to search for underage child domestic workers. However, there are mechanisms available to *barangay* (village level) officials to permit them to investigate domestic work-related complaints. (2,3,5)

The government did not provide information on its labor law enforcement efforts relating to the number of child labor violations for which penalties imposed were collected.

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in the Philippines took actions to combat child labor (Table 7). However, gaps exist within the operations of the Philippine National Police (PNP) 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	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (5)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (5)
Refresher Courses Provided	Yes (3)	Yes (5)
Number of Investigations	116 (3)	41 (5)
Number of Violations Found	305 (3)	87 (5)
Number of Prosecutions Initiated	54 (3)	70 (5)
Number of Convictions	34 (3)	55 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (3)	Yes (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (5)

During the reporting period, the government continued its anti-drug campaign, which began in 2016, and did not adequately protect children allegedly engaged in drug trafficking from inappropriate incarceration or physical harm. Between January and September 2020, 553 children between the ages of 4–17 were arrested and detained during anti-drug operations nationwide. (5,91,92) PNP reported its referral of these children to the Department of Social Welfare and Development (DSWD), after which they were placed in either juvenile detention centers or "Houses of Hope," which, in practice, closely resemble detention centers. (2,32,44)

Children also continued to be victims of extrajudicial killings during operations carried out as part of the anti-drug campaign. According to a children's rights NGO, 12 children were victims of extrajudicial killings during law enforcement operations between January and October 2020. (5) A report released in June posited that the total number of children killed since the beginning of anti-drug operations is likely under-reported. (93-97) In addition, there were reports of collateral deaths of children caught in the crossfire during police operations connected to the drug war, with some high-level government officials suggesting 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. (3,93,98-100) There is no evidence that the government investigated, prosecuted, or convicted police officers accused of killing children during anti-drug operations in 2020. (44,48,93-96,101)

During the reporting period, law enforcement officials conducted 176 coordinated anti-trafficking operations involving 237 minor victims, which led to the prosecution of 172 defendants charged with the trafficking of children, and 81 defendants convicted for offenses related to the worst forms of child labor, including OSEC. (85) From April 2020 to March 2021, the government also convicted 34 traffickers under the anti-trafficking act and related laws, resulting in the courts sentencing 16 traffickers to sentences of life imprisonment, and assessed fines ranging from \$80,000 to \$100,000. The courts convicted a further 20 suspects of OSEC-related crimes. (27) In one notable case, the government convicted U.S. citizen David Timothy Deakin to life imprisonment and a \$40,000 fine for "large-scale qualified trafficking in persons," making this case the very first OSEC conviction of a foreigner in the country. Criminal law enforcement also seized the largest amount of digital evidence related to OSEC in the Philippines to date. (5,27)

During the reporting period, the government failed to take law enforcement action against officials who facilitated the production of fraudulent identity documents or were otherwise complicit in human trafficking. (27,33)

During the reporting period, the Supreme Court issued "Guidelines on the Conduct of Videoconferencing," which permitted OSEC cases to use Video-In-Depth-Interview kits which, as a result, helped to protect 109 OSEC victims from appearing in court; thus helping to prevent re-traumatization of victims. (25,27,33,49,85) In addition, the Department of Justice issued its first advisory on plea bargaining in human trafficking cases, and the increased use by courts of such pleas—particularly in OSEC cases—significantly decreased the time to case resolution, further reducing the potential for re-traumatizing child victims. (33,85)

Philippine law allows judges to award civil compensation to human trafficking victims from damages arising from being trafficked, but victims rarely receive this restitution since perpetrators often lack sufficient assets to pay. However, in cases for which perpetrators are financially able to pay this penalty, many are able to evade doing so due to ineffective, slow court procedures. (27)

Research indicated the need for more law enforcement personnel, funds for operations, and equipment for forensic analysis of digital evidence due to the high volume of cybercrime tips related to child sexual exploitation received by the Office of Cybercrime each month. (33,44) Slow-moving courts, the need for additional training on handling digital evidence, lack of understanding regarding legal framework, and too few prosecutors also hindered the effective and timely prosecution of human trafficking crimes. (20,27,33,35)

#### 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 Council Against Child Labor (NCACL)	Formerly the National Child Labor Committee and reorganized after the signing of E.O. No. 92 in 2019. Chaired by DOLE and co-chaired by DSWD. (3,5,25,27,102-105) Expanded membership to include seven other government agencies, two members from the employers sector, two members from the workers sector, and two NGOs with programming on child labor. (3,5,27,103) New members will be nominated and serve a 3-year term. (3) Coordinates national efforts to combat child labor and implements the Philippine Program Against Child Labor. (2,75,105,106) Promotes information sharing at the national, regional, and provincial levels, and is tasked with establishing and disseminating a child labor reporting mechanism for use by local and national authorities. (3,25) Held its first meeting in January 2020 and assigned chairs and co-chairs of their technical working groups, which met multiple times throughout the year. (3,5) Stated it plans to restructure its subcommittees in 2021 and potentially change committee leadership assignments. (5)



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

Coordinating Body	Role & Description
Anti-Trafficking: Inter-Agency Council Against Trafficking (IACAT), Task Force Against Illegal Recruitment, Recruitment of Minor Workers, and Trafficking in Persons, and #SaferKidsPH	IACAT oversees the 1343 Actionline emergency hotline for trafficking in persons victims. (23,107) Coordinates, monitors, and oversees efforts to combat human trafficking, including child trafficking. Chaired by the Department of Justice and co-chaired by DSWD. (2,5,23,25,27,33,49,107) Composed of 11 government agencies and 3 NGOs. (25,27) Comprises 24 anti-human trafficking task forces, including 16 regional task forces and 8 inter-agency task forces in major seaports and airports. (15,49) During the reporting period, received a budget of \$2.03 million in 2020. (27) The Department of Justice approved a 59 percent increase in the number of prosecutors assigned to anti-trafficking task forces. Established the Task Force Against the Trafficking of Overseas Filipino Workers to coordinate investigative and protective followup on trafficking cases referred by the Department of Foreign Affairs overseas missions. (27,33,85) Initiated a technical working group to create "Guidelines on the Investigation and Monitoring of Trafficking in Persons-Related Corruption Cases," to ensure a zero-tolerance policy on trafficking-related malfeasance in government. (27) Increased number of staff from 116 to 142 and conducted 25 rescue operations involving 212 minors. (27) Provided 82 anti-trafficking capacity building trainings to 3,245 law enforcement officials, including topics on investigation and prosecution of cases involving forced labor and OSEC, and trauma-informed care for survivors. (45,85) Implemented new prosecutor's human trafficking case management system to monitor case progress and outcomes. (33) Convened six meetings, including a stakeholder symposia focused on discussion of progress in addressing human trafficking issues including OSEC, and held three virtual focus group discussions with human trafficking survivors during the reporting period. (27,33) The 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 and is chaired by DOLE. Mechanism was active during the reporting period. (2) #SaferKidsPH was established in 2019, in collaboration with the Government of Australia, UNICEF, Save the Children Philippines, and the Asia Foundation. 6-year campaign aims to strengthen investigation and prosecution of OSEC cases in the country, promote safe online habits for children through awareness campaigns, and improve service delivery for OSEC survivors. (3) Led by the Inter-Agency Council Against Trafficking (IACAT) in conjunction with DSWD, the Department of Information and Communication Technology, and the Department of Education, #SaferKidsPH partners with government agencies, educational institutions, private companies, and local community members, including parents and children to combat OSEC. Mechanism was active during the reporting period. (3)
Inter-Agency Council Against Child Pornography	Serves as the primary government coordinating mechanism to address child pornography. (2,3,5) Monitors and implements the Anti-Child Pornography Act (R.A. No. 9775). (3) Comprises 12 government agencies and 3 NGOs. (106) Chaired by DSWD. (108) Research was unable to determine whether this coordinating body was during the reporting period.
Children Involved in Conflict: Inter-Agency Council for the Welfare of Children (CWC) and Inter-Agency Committee on Children in Situations of Armed Conflict (IAC-CSAC)	CWC initiates, promotes, and advocates policies and measures protecting children's rights. (2,3,5) Operates and maintains the Protocol on Monitoring, Reporting, and Response System for reporting incidents of children in armed conflict, including monitoring the six grave child rights violations. (25,27,109) Held a virtual ceremony in September recognizing the 2019 signing of the Children in Situations of Armed Conflict Handling Protocol. (5) In addition, signed a Memorandum of Agreement with ABS-CBN Lingkod Kapamilya Foundation recognizing <i>Bantay Bata</i> 163 as dedicated hotline for reporting child rights violations; violations received through <i>Bantay Bata</i> 163 will be referred to appropriate agencies for immediate assistance and intervention. (5) Issued Joint Memorandum Circular 2020-001 that served as a reminder to local government units to recognize and promote the rights and best interests of children during quarantine and curfew hours. (5) IAC-CSAC advocates protecting children and preventing the involvement of children in armed conflict. Chaired by the CWC. (20,25,27) Coordinates and monitors the implementation of the Children in Armed Conflict Program Framework. (49,110) Convenes quarterly. Ensures that international instruments, including the Optional Protocol on the Involvement of Children in Armed Conflict, are referenced in discussions. (110) Formulates guidelines and develops programs in coordination with concerned agencies for the handling of children involved in armed conflict, and monitors or documents cases of capture, surrender, arrest, rescue, or recovery by government forces. Works closely with applicable agencies in coordinating and monitoring the implementation of the enhanced CSAC program framework. (20,110) Conducts human rights training, advocacy and information campaigns, and capacity building of local government units. Implements a monitoring, reporting, and response system for grave child rights' violations in situations of armed conflict. (110) During the reporting period, developed guidelines in handling children involved in armed conflict in order to provide protection through the proper handling and management of cases. (85)
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 in drug trafficking. Manages livelihood, rehabilitation, food, and scholarship programming. (32) Overseen by DSWD. (44,111) During the reporting period, assisted IAC-CSAC on the conceptualization and finalization of guidelines for handling children involved in armed conflict. (85)

During the reporting period, the Inter-Agency Council Against Trafficking (IACAT), in partnership with the international nonprofit organization International Justice Mission (IJM) and the USDOS Office to Monitor and Combat Trafficking in Persons Office, hosted a 3-day summit to discuss the growing concern of OSEC in the Philippines. (27,112,113) Attendees discussed best practices in investigative and judicial procedures among other

topics and IJM announced the launch of its Center to End Online Sexual Exploitation of Children that will seek to strengthen the global response to this crime. (112-114)

In addition, in September, the Government of the Philippines virtually hosted the ASEAN Twentieth Senior Officials Meeting on Transnational Crime. A major outcome of the meeting included key agreements among ASEAN member states on how they will continue to respond to transnational crimes in the region, with each member state enumerating their respective plans for the succeeding years. (27)

The government also held a Bilateral Meeting on Transnational Investigative Cooperation on Trafficking in Persons in July 2020 with the Government of Malaysia. In addition, the Government of the Philippines shared best practices on prosecuting human trafficking cases—specifically OSEC—with 40 members of Thailand's law enforcement agencies, government agencies, and NGOs at an event hosted by the Thailand Trafficking In Persons Network. (27)

### 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 Strategic Framework (2020–2022)*	Aims to gradually reduce child labor through consultations with government institutions, local and international NGOs, civil society organizations, faith-based groups, professional associations, academia, the private sector, parents, and children. (2,5,115) Implementation led by DOLE's BWSC. (86,116) During the reporting period, conducted a mid-term assessment and held a planning workshop in which the Philippines Program Against Child Labor Strategic Framework, the Philippine Program Against Child Labor Strategic Plan, and the technical working groups of the NCACL were improved upon. (5)
Anti-Trafficking Policies: National Strategic Action Plan Against Trafficking in Persons (2017–2021) and Child Protection Compact Partnership (CPC) (2017–2021)	National Strategic Action Plan Against Trafficking in Persons (Third StratPlan) aims to address labor trafficking and sex trafficking, including OSEC. (117) Chaired by the Secretary of the Department of Justice and co-chaired by the Secretary of the Department of Social Welfare and Development. Employs a multi-stakeholder approach to fight human trafficking. (118) Mandated to prevent and suppress human trafficking, and ensure victim recovery, rehabilitation, and reintegration into society via four key result areas: 1. Prevention and Advocacy; 2. Protection, Recovery, Rehabilitation, and Reintegration; 3. Prosecution and Law Enforcement; and 4. Partnership and Networking. (118) In 2020, Third StratPlan was implemented and there were several meetings to update the plan. (45) Child Protection Compact Partnership, a plan jointly developed with USDOS, seeks to increase prevention efforts and protections for child victims of OSEC and labor trafficking, while holding perpetrators accountable. (20,38,107,119) 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. (107,120,121) The government committed approximately \$800,000 for its implementation. (119,122) This policy was implemented during the reporting period. (5)
Philippine Development Plan (2017–2022)*	Aims to build the socioeconomic 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. (1,6) Aims to achieve a zero number of child laborers by 2022. (5,106) This policy was implemented during the reporting period. (5)
National Plans: National Strategic Framework for Plan Development for Children (Child 21) (2000–2025), 3rd National Plan of Action for Children (2017–2022), and the Philippine National Multi-Sectoral Strategic Plan on Children in Street Situations*	Child 21 sets out broad goals for national government agencies, local governments, and NGOs to achieve improved quality of life for Filipino children by 2025. (123) Addresses concerns related to the worst forms of child labor under the section on children in need of special protection. (15) Chaired by the Council for the Welfare of Children. (2) Policy was implemented during the reporting period. (5)  3rd National Plan of Action for Children (NPAC) strengthens strategies, policies, and programs for children to achieve Child 21's vision for Filipino children by 2025. (2,49,123,124) In 2020, conducted a mid-term review on the NPAC to assess progress on reaching agency targets and recommended measures to take to achieve the goals of the NPAC. (45)  Philippine National Multi-Sectoral Strategic Plan on Children in Street Situations was established in 2020. Addresses the needs and concerns of street children using a child rights approach, and strengthens multi-sectoral cooperation among stakeholders. (5)

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

Policy	Description
Philippine Plan of Action to End Violence Against Children (2017–2022)	Multi-sectoral plan to gradually reduce violence against children through consultations with government institutions, local and international NGOs, civil society organizations, faith-based groups, professional associations, academia, the private sector, and parents and children. Consistent with Child 21 and the National Plan of Action for Children visions. (3,125) Research was unable to determine activities undertaken to implement this policy during the reporting period.

\* Policy was implemented during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (57,126,127)

During the reporting period, the Bangsamoro Autonomous Region of Muslim Mindanao (BARMM) signed a 1-year memorandum of agreement with local NGO, Blas Ople Policy Center, to establish a BARMM anti-human trafficking task force. (27)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 provision of adequate services for victims of child pornography.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Anti-Child Labor Programs: Child Labor Prevention and Elimination Program†, Livelihood for Parents of Child Laborers (Kabuhayan para sa Magulang ng Batang Manggagawa)‡, and Pantawid Pamilyang Pilipino Program (Conditional Cash Transfer Program)	<p>Child Labor Prevention and Elimination Program is a 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. (2) Includes a provision of livelihood assistance to parents of child laborers, <i>Sagip Batang Manggagawa</i>, and Project Angel Tree. (2,107) During the reporting period, partnered with an NGO to lobby for an increased budget, and used social media and information, education, and communication materials (IEC) to strengthen its child labor awareness campaign. (5) During World Day Against Child Labor, disseminated IEC materials on the impact of the COVID-19 pandemic on child labor, and information on <i>Talakayang Pambata</i> ("Discussion for Children"), a live educational discussion about child labor. (5)</p> <p>Project Angel Tree is a social service with local government agency benefactors, known as "angels," who provide educational supplies to communities. (72,128) From January–October, conducted 27 gift-giving activities to 2,943 child laborers and children at risk. Gifts distributed included school supplies, food packs, toiletries, and other items donated by civic organizations and private institutions. (5)</p> <p>Livelihood for Parents of Child Laborers is a 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. (80) From January–October, provided livelihood assistance to 2,770 parents of child laborers, in the form of <i>Negokart</i> (business carts), starter kits, and other materials needed to start a livelihood. In October, launched the <i>Free Bisikletang Panghanapbuhay</i> ("Free Bike for Livelihood" or <i>FreeBis</i>) Project. <i>FreeBis</i> is overseen by the Integrated Livelihood Program and aims to help ease unemployment during the pandemic. (5) During the reporting period, distributed 890 bicycles to recipients, including 88 parents of child laborers. Each bicycle came with a helmet, raincoat, water bottle, thermal bag, and an Android mobile phone with \$100 worth of service for electronic payment application. (5)</p> <p>Conditional Cash Transfer Program is a DSWD national poverty reduction program that provides conditional grants, local awareness-raising campaigns, and child labor-monitoring mechanisms to assist poor families with children's access to health care, adequate nutrition, and education. (2,3,27,129) Includes a child labor module within the sessions on family development for program participants. (2,30,130) Covers 1,627 cities and municipalities in 79 provinces in all 17 regions. (2,3) During the reporting period, raised awareness on child labor and combatted societal acceptance and tolerance of child labor through trainings. (27)</p>
Strategic Helpdesks for Information, Education, Livelihood and Other Developmental Interventions (SHIELD) for Child Laborers‡	<p>DSWD-led project implemented in 13 <i>barangays</i> in Catanauan, Labo, Jose Panganiban, Paracale, Kananga, and Ormoc City, with support from the ILO CARING Gold Mining Project. Currently in a 2-year pilot, with official plans to launch nationwide in 2021. (45,72) Comprises three components: Child Labor Local Registry; Helpdesk and Convergence of Services; and Advocacy, Organizing, and Capacity Building. (2,130) Focuses on areas with a high child labor incidence rate, with interventions based on data from the Child Labor Local Registry. (130) Focused particularly on eliminating the worst forms of child labor in the small-scale gold mining, deep sea fishing, and sugarcane industries. (2,3,75,131) During the reporting period, compiled profiles of child laborers in 15 <i>barangays</i> that will be used by the Philippine Statistical Development Program (2018–2023). (3,5,40)</p>

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

Program	Description
Anti-Trafficking Programs: Recovery and Reintegration Program for Trafficked Persons (RRPTP)† and Strengthening Local Systems and Partnerships for More Effective and Sustainable Counter-Trafficking in Persons in the Philippines (Strength CTIP), 2019–2022	RRPTP is a 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 using standard referral and reporting forms. (27, 132) There are 149 referral networks established in 16 regions. (30) During the reporting period, served 305 victims of OSEC. (85) Strength CTIP works in partnership with the Advocate for the Protection and Prevention of Abuse and Exploitation of Children (APPROACH) Consortium. Initiates and sustains counter trafficking in persons activities in selected project sites in Iloilo City, Dumaguete City, and Cebu province. (3) Designed to accommodate the needs of victims of human trafficking, specifically children subjected to commercial sexual exploitation and human trafficking. (3) Research was unable to determine activities undertaken during the reporting period.
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. (133) Research was unable to determine activities undertaken during the reporting period.
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. Include: <u>Against Child Exploitation (ACE) Project (2019-2023)</u> , a \$5 million project implemented by World Vision; <u>BuildCA2P: Building Capacity, Awareness, Advocacy and Programs Project (2018-2022)</u> , a \$2.6 million project implemented by ChildFund International; <u>SAFE Seas</u> , implemented by Plan International USA; <u>RICHERS</u> , implemented by the Grameen Foundation with the Philippines; <u>Measurement, Awareness-Raising, and Policy Engagement (MAPI6) Project on Child Labor and Forced Labor</u> , implemented by ILO; and <u>CARING Gold Mining Project</u> , implemented by ILO. (134-139) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (141, 142)

The Department of the Interior and Local Government issued an advisory and a circular during the reporting period aimed at addressing effective delivery of assistance to children during quarantine. It included an "Advisory on the Activation of Barangay Violence Against Women Desk and Barangay Council for the Protection of Children" which ensured the availability and accessibility of *barangay* services to women and children, took active measures to prevent violence against women and children, provided immediate assistance to victims of violence, and provided appropriate support during quarantine to these vulnerable populations. (5)

Although some specialized resources exist to assist victims of human trafficking, the Philippines lacked sufficient programs to care for and rehabilitate children who have been victims of OSEC. (30) In addition, there are not adequate programs to provide insight on the impact of OSEC on child victims. (49, 143-145)

Although DSWD works in consultation with parents and community leaders to determine how best to assist children suspected of being involved in the drug trade, DSWD does not have programs specifically designed to increase protections for or assistance to children engaged in drug trafficking. DSWD also lacks programming to address the heightened vulnerability of children impacted by the death of familial breadwinners in the drug war. (2, 146)

The Philippine Drug Enforcement Agency (PDEA) continued to coordinate with DSWD when dealing with children allegedly involved in drug trafficking. Upon the PDEA turning over arrested children and within 8 hours of the conclusion of their court proceedings, DSWD transferred the children to either juvenile detention centers or "Houses of Hope" (*Bahay ng Pag-asa*) rehabilitation and skills training centers for children in trouble with the law. (2,3,5, 147) Local government units or NGOs operated over 70 Houses of Hope throughout the country, with little oversight from the federal government. Although there is an accreditation process for these facilities administered by the federal Juvenile Justice and Welfare Council, only a small number of Houses of Hope have met the qualifications, allowing for continued corruption, maltreatment of residents, and failure to provide quality

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rehabilitative services. In 2020, reports continued that many Houses of Hope operate as youth detention centers where children are subjected to physical and emotional abuse, deprived of liberty, and forced into overcrowded and unhygienic cells. (44,45,92,97,147-155) In two facilities, for example, there were reported complaints of limited access to water supply, insufficient amounts of food or that food was expired, including a report that unused sacks of rice were infested with weevils. (45,148,149) The government took no known action in 2020 to hold accountable Houses of Hope alleged to have abused child residents. (44,92,97,147,150,151)

## 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 – 2020
Enforcement	Strengthen child labor complaint mechanisms by launching the online hotline to allow reporting of potential online sexual exploitation of children cases.	2020
	Increase funding to allow for the hiring of more law enforcement personnel, including police and prosecutors, training for forensic analysis of digital online sexual exploitation of children evidence, and create a centralized database to allow for quicker action on cases involving the worst forms of child labor.	2019 – 2020
	Authorize the labor inspectorate to assess penalties.	2015 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice; ensure the budget for the Department of Labor and Employment, Bureau of Worker Concerns includes an allocation for the salaries of labor inspectors located outside of the National Capital Region; and increase resources available to provide sufficient coverage of the workforce, particularly in the informal sector and in rural areas where child labor is prevalent.	2014 – 2020
	Develop and provide specialized training for labor inspectors on identification of child labor.	2019 – 2020
	Allow Rescue the Child Laborers Quick Action Teams to conduct unannounced compliance visits to private homes.	2018 – 2020
	Publish information on labor law enforcement efforts, including the number of child labor penalties imposed that were collected.	2015 – 2020
	Enhance efforts to prevent the inappropriate incarceration of, and violence against, children suspected to be engaged in the production and trafficking of drugs and those caught in crossfire during anti-drug operations.	2017 – 2020
	Prosecute law enforcement officials and civilians responsible for the killing of children engaged in the drug trade and officials who are complicit in the trafficking or allow traffickers to operate without impunity.	2017 – 2020
	Ensure that youth rehabilitation centers, including Houses of Hope, are accredited and in compliance with standards set by the Department of Social Welfare and Development and Juvenile Justice And Welfare Council.	2020
	Offer criminal law enforcement officials training on laws related to the worst forms of child labor, including the proper handling of digital evidence in criminal trials.	2020
	Prosecute trafficking crimes in a timely manner, and hire more criminal prosecutors to lessen the workload.	2020
	Incorporate procedures to allow for an efficient exchange of restitution to victims of trafficking.	2020
	Coordination	Ensure the Inter-Agency Council Against Child Pornography is able to carry out its intended mandate.
Social Programs	Publish the results of the child labor modules from the 2017, 2018, and 2019 rounds of the Labor Force Survey.	2020
	Publish data on the total number of confirmed online sexual exploitation of children cases each year.	2020
	Ensure that social programs are fully implemented, including the Strengthening Local Systems and Partnerships for More Effective and Sustainable Counter-Trafficking in Persons in the Philippines, and the Alternative Learning Systems Program.	2020
	Institute a program to address and combat the sexual abuse and exploitation of children in the production of child pornography, including live streaming.	2017 – 2020



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

Area	Suggested Action	Year(s) Suggested
Social Programs	Provide specialized care and rehabilitative services for children who have been victimized through sexual abuse and exploitation through live streaming and in the production of child pornography by their families.	2017 – 2020
	Develop programs to increase protections for and provide assistance to children engaged in drug trafficking and children impacted by the death of a familial breadwinner to address their heightened vulnerability.	2017 – 2020
	Ensure that "Houses of Hope" ( <i>Bahay ng Pag-asa</i> ) child detention centers in the Philippines do not subject children to physical or emotional abuse, that those who commit such crimes are held accountable, and that centers are provided with adequate resources to remedy overcrowding and unhygienic conditions.	2017 – 2020
	Increase access to free, compulsory education by eliminating unofficial school-related fees and addressing issues related to inadequate school infrastructure, including architectural barriers.	2020

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In 2020, Rwanda made moderate advancement in efforts to combat the worst forms of child labor. The government passed a new education law that incorporates provisions to address barriers to education for girls and children with disabilities. Rwanda also released two child labor studies measuring child labor prevalence in specific districts across the country and continued to significantly increase its number of labor inspections, including child labor inspections. In addition, the government centralized its child rights protection efforts with the creation of the National Child Development Agency. Rwanda also began implementing a new labor procedure manual that provides guidance to local authorities on roles and responsibilities for child labor law enforcement. Although Rwanda made meaningful efforts across all relevant areas during the reporting period, reports indicate that government officials have detained children subjected to commercial sexual exploitation and forced street begging in transit centers intended for individuals demonstrating so-called deviant behaviors, in which children often experience physical abuse. Children in Rwanda are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining, including carrying heavy loads. The number of labor inspectors does not meet the International Labor Organization's technical advice for the size of the workforce. Finally, social programs do not address all relevant sectors in which child labor is present.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Rwanda are subjected to the worst forms of child labor, including in forced domestic work, sometimes as a result of human trafficking. Children also perform dangerous tasks in mining, including carrying heavy loads. (1-3) Table 1 provides key indicators on children's work and education in Rwanda.

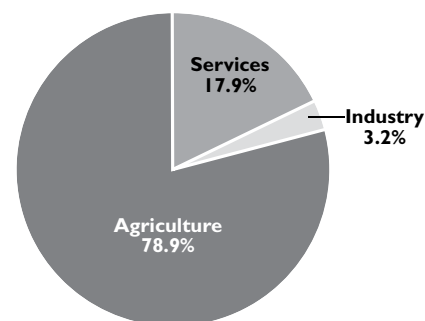
**Table 1. Statistics on Children's Work and Education**

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 (%)		97.4

Source for primary completion: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Integrated Household Living Conditions Survey (EICV-5), 2016–2017. (2)

**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	Forestry activities (5)
	Production of sugarcane, rice, bananas, beans, coffee, manioc, pineapples, and potatoes, including carrying heavy loads† and wielding machetes (6)
	Production of tea, including applying fertilizers,† carrying heavy loads,† planting, plucking tea leaves, and weeding (6-8)

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

Sector/Industry	Activity
Agriculture	Fishing† (5)
	Herding cattle and caring for pigs, sheep, goats, and chickens (6,9,10)
Industry	Construction,† including laying and making bricks (1,6,11,12)
	Mining† tantalum ore (coltan) and quarrying (1,6,11,13)
	Producing charcoal (6)
Services	Domestic work† (6,11,12,14,15)
	Repair and cleaning of motorcycles and motor vehicles (11,16)
	Street work, including collecting scrap metal,† carrying heavy loads as porters,† begging, and small-scale vending (6,16-18)
Categorical Worst	Commercial sexual exploitation, sometimes as a result of human trafficking (15,16,19)
Forms of Child Labor‡	Forced labor in agricultural and domestic work, each sometimes as a result of human trafficking (9,12,14,20)

† 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.

Although Rwanda is not a major destination for child trafficking, it is a source and transit country for child victims, primarily those from Rwanda and neighboring countries trafficked to Saudi Arabia, Uganda, Kenya, and elsewhere in East Africa and the Middle East. (9,10) Within Rwanda, young girls are forced into domestic servitude and commercial sexual exploitation, and boys are exploited in forced labor in the agricultural and industrial sectors, including on plantations and in mines. (10,15,19,21)

National data show that approximately 3.6 percent of all children in Rwanda are engaged in child labor, primarily in the agriculture and services sectors. (5,22) In 2020, Rwanda's National Commission for Human Rights released its "Analysis of Child Labor and Its Impact on Child Rights in Rwanda," a survey of working children between the ages of 5 and 17 from 11 districts in the country. Over half of the respondents indicated they performed some type of hazardous labor, including carrying heavy loads, working in construction and brick kilns, and mining. (3,8)

Poverty was identified as the key factor contributing to child labor, which in turn contributed to school dropout. (3,8) Officials have indicated that children in mining often drop out of school and work in abandoned artisanal mines with their parents. At least two children were killed while engaged in illegal mining during the reporting period, while two others were rescued with serious injuries. (8)

During the reporting period, the government identified street begging as a growing problem in the country, noting that some families were renting out their children to individuals who would collect earnings from the children and pay a percentage to the families. Children begging on streets typically worked almost 11 hours per day and were at risk of not returning to school. (8,9)




Due to the COVID-19 pandemic, schools were closed in March of 2020 and did not begin a phased reopening until November, with pre-primary and primary grades delayed until January of 2021. The government launched audio lessons via national radio in response to the pandemic, and monitoring data showed that over half of school-age children were utilizing the broadcasts. (8) While lack of radio access prevented some families from utilizing the resource, the government also established local level back-to-school committees to ensure vulnerable children returned to school. (8)

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. (21-24) In January 2020, the Ministry of Education issued a statement expressing concern that schools were levying excessive school fees on families and prohibited schools from increasing fees during the first term of the 2019–2020 school year. (1,22) Furthermore, children with disabilities face particular difficulties accessing education due to stigma and because schools lack the capacity to accommodate special needs. (8,25,26)

## 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Rwanda's legal framework to adequately protect children from the worst forms of child labor, including the difference between the minimum age for work and the compulsory age for education.

**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 (27,28)
Minimum Age for Hazardous Work	Yes	18	Article 6 of the Labor Law (27)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 6 of the Labor Law; Articles 4–6 of the 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 (27-30)
Prohibition of Forced Labor	Yes		Articles 3.25 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 (27,28,31,32)
Prohibition of Child Trafficking	Yes		Articles 3.4, 3.6, 3.7, and 18–20 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 259–262 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 (28,31-35)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 3.2 and 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 34–35 of the Law Relating to the Protection of the Child; Article 9 of the Ministerial Instruction Relating to Prevention and Fight against Child Labor (28,31-35)
Prohibition of Using Children in Illicit Activities	Yes		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 (28,31,32,36)
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 (31,37,38)
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 (36,37)

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**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 221 of the Penal Code (32)
Compulsory Education Age	No	12	Article 47 of the Law Relating to the Rights and Protection of the Child; Articles 55-58 of the Law Determining the Organisation of Education (31,39)
Free Public Education	No		Article 47 of the Law Relating to the Rights and Protection of the Child; Articles 55-58 of the Law Determining the Organisation of Education (31,39)

\* No conscription (31,37,38)

The Ministry of Education and Parliament passed a new education law in late December 2020 and published it in February 2021, stipulating that primary education is free and compulsory up to the first 6 years of schooling. The legislation however, does not provide for free and compulsory secondary education. (8,39) Although Rwanda has adopted policies to implement fee-free 12 years basic education and compulsory education through age 16, the national education law states that education is compulsory only up to age 12 and does not provide for free basic education through the first 9 years of schooling. (22,39) The new education law also establishes English as the primary language of instruction, which may create a barrier to education for children whose first language is not English. (8,39) Furthermore, the age up to which education is compulsory makes children between ages 12 and 16 vulnerable to child labor because they are not legally required to attend school but are not legally permitted to work.

The new education law mandates that all public schools, including primary schools, provide safe rooms with sanitary and medical supplies for female students on their menstrual cycle. The effort is intended to address a key factor in female student absenteeism. (39,40) The law also establishes special education provisions for disabled children and children with learning disabilities. (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 enforcement agencies 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 and Labor (MIFOTRA)	Enforces labor laws, including laws on child labor. (41) 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 Promotion, the National Child Development Agency (NCD), the Ministry of Justice, and the Ministry of Local Government, to take an active role in child labor law enforcement. (1)
Rwandan National Police (RNP)	Enforce criminal laws related to the worst forms of child labor and operate 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. (1,19,24) It is unknown how many calls to the hotline, if any, were related to child labor.
Rwanda Investigation Bureau	Conducts investigations into criminal matters, 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. (1)
National Public Prosecution Authority (NPPA)	Prosecutes violations of labor laws, including laws on child labor. (1) Through its anti-Gender Based Violence unit, 12 prosecutors work with an additional 60 prosecutors trained in handling relevant cases at the district level. (42)
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. (1)

### Labor Law Enforcement

In 2020, 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 (MIFOTRA) 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	2019	2020
Labor Inspectorate Funding	\$391,000 (8)	\$257,000 (8)
Number of Labor Inspectors	36 (7)	36 (8)
Inspectorate Authorized to Assess Penalties	Yes (27,43)	Yes (27,43)
Initial Training for New Labor Inspectors	Yes (22)	Yes (8)
Training on New Laws Related to Child Labor	Yes (22)	Yes (8)
Refresher Courses Provided	Yes (22)	Yes (8)
Number of Labor Inspections Conducted	2,150 (43)	8,712 (8)
Number Conducted at Worksite	2,150 (25)	8,712 (8)
Number of Child Labor Violations Found	393 (43)	624 (44)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	6 (8)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	6 (8)
Routine Inspections Conducted	Yes (22)	Yes (8)
Routine Inspections Targeted	Yes (22)	Yes (8)
Unannounced Inspections Permitted	Yes (45)	Yes (45)
Unannounced Inspections Conducted	Yes (25)	Yes (8)
Complaint Mechanism Exists	Yes (22)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (22)	Yes (8)

During the reporting period, MIFOTRA conducted 4 initial training sessions for new inspectors, 10 training sessions specifically on child labor laws, and 4 refresher courses for inspectors. The government also collaborated with the USAID-funded Strengthening Rwandan Administrative Justice project to develop professional courses on labor inspections, international labor standards, mediation, social dialogue, and safety and health for the labor inspectorate, but implementation of the courses was delayed due to the pandemic. (8)

In 2020, the labor inspectorate again significantly increased its number of labor inspections. Of the 8,712 inspections conducted, 720 focused on child labor, resulting in the identification of 624 child labor violations. (8,44) Six of the child labor violations identified in 2020 resulted in Rwanda Investigation Bureau investigations and referrals to the National Public Prosecution Authority for prosecution. (8)

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. (46,47) Despite MIFOTRA's indication that the labor inspectorate was sufficiently funded, research indicates that low resources, lack of personnel, high workloads, and a lack of training may limit labor inspectors' ability to enforce child labor laws and perform onsite inspections. (4,8) Reports indicate that officials at the local level had difficulty identifying characteristics of child trafficking and child labor. (42)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Rwanda took actions to combat child labor (Table 7). However, gaps exist within the operations of the Rwandan National Police 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	2019	2020
Initial Training for New Criminal Investigators	Yes (22)	Yes (8)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (22)	Yes (8)
Refresher Courses Provided	Yes (22)	Yes (8)



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

Overview of Criminal Law Enforcement	2019	2020
Number of Investigations	Unknown	6 (8)
Number of Violations Found	Unknown	6 (8)
Number of Prosecutions Initiated	Unknown	6 (8)
Number of Convictions	Unknown	0 (8)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (22)	Yes (8)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (22)	Yes (8)

The government has acknowledged detaining thousands of street children per a 2017 law establishing a National Rehabilitation Service to address “deviant behavior” and the accompanying 2018 Ministerial Order, which defines deviant behavior to include prostitution, begging, and informal street vending. (48,49) Under the purview of these laws, authorities may detain children for exhibiting deviant behavior and place children in a transit center before transferring them to a rehabilitation center or reintegrating them into the community. (19) The government maintains that the purpose of the laws and the transit centers is to rescue children from the street and to provide them with life skills before reuniting them with their families. (50) However, since some types of child labor are included in the 2018 Ministerial Order definition of “deviant behavior,” children engaged in commercial sexual exploitation, forced begging, and street vending may be penalized for their engagement in child labor. (49) Sources report that children subjected to commercial sexual exploitation and forced street begging have been detained in the transit centers, in part due to weak screening by law enforcement officials to identify victims of human trafficking. (19,51) Research indicates that children placed in the primary transit center located in Kigali, also known as Gikondo, faced overcrowding, unsanitary conditions, insufficient food or water, and physical abuse. (41,48,52) Rehabilitation services at the centers were limited, and children were detained for prolonged periods at transit centers before being referred to a rehabilitation facility. (53,54)

## 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 implementation.

**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; reviews 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 raise awareness of child labor. (1) MIFOTRA coordinates and provides monitoring and evaluation, including the publication of annual updates on program and policy implementation related to child labor. (55) In 2020, the committee moved to a biweekly meeting schedule and held at least one seminar on child labor with committee members. (44)
Inter-Agency 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, RNP, and NPPA. (1,8) The working group met once every 2 months during the reporting period. (44)
MIGEPROF's National Child Development Agency (NCDA)*	Formed in 2020 through Law N. 012/2020 of August 28, 2020, replaces the dissolved National Child Commission (NCC) and the National Early Childhood Development Program (NECD) in an effort to centralize the implementation of child's rights protection efforts. Assumes the duties of the NCC and NECD of monitoring, promoting, and advocating children's rights, and developing action plans to protect children from abuse and exploitation. (1,8,56,57)
Child Labor Steering 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. (1) 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. (1,15) Although established by policy in 2018, research has since been unable to identify any meaningful activities or efforts, particularly at the sector and cell levels. Research was again unable to determine whether the local committees were active during the reporting period. (44)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

Reports indicate that poor coordination and resource constraints hindered efforts to combat human trafficking and that efforts were focused only on transnational rather than also on domestic human trafficking. (1,19,42)

## 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
Strategic Plan for Integrated Child Rights Policy 2019–2024	Aims to improve coordination and implementation issues in child protection, including strategies to address child labor. Revised in 2018 to focus on key areas of identity and nationality; family and alternative care; health, survival and standard of living; education; protection; justice; and participation. (58) Research was unable to determine whether activities were undertaken to implement the Strategic Plan during the reporting period.
Rwanda Urban Development Project Labor Management Procedure†	Implemented in 2020, lays out specific responsibilities for the already-existing Ministry of Local Government (MINALOC) to monitor and enforce child labor laws at the local level. Mandates that appointed local authorities conduct inspections and enforce child labor laws for rural development projects. (8,59) The appointed authorities will also field child labor complaints from Grievance Redress Committees established at local worksites. (8,59)

† Policy was approved during the reporting period

Rwanda adopted a new National Social Protection Policy in 2020 that aims to assist families living in poverty and includes measures to ensure access to education for children and to provide livelihood development. Although the plan acknowledges that poverty is a root cause of child labor, the prevention or elimination of child labor is not integrated into the policy. (64)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 the adequacy 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. (1) During the reporting period, the Friends of the Family Program managed over 600 cases of child labor, child trafficking, and other cases involving abuses against children. (8) In addition, MIFOTRA partnered with USAID to air a series of talk shows focusing on child labor, in which MIFOTRA officials fielded questions and complaints from the public regarding child labor enforcement. MIFOTRA also provided technical assistance in the development of a USAID mini-movie focusing on child labor. (44)
Victim Assistance Programs†	Musanze Child Rehabilitation Center in Northern Province assists children separated from armed groups in the Democratic Republic of the Congo. (26) Gitagata Center provides education, vocational training, and psychosocial support, and aims to reunite former street children with their families. "One-Stop" centers located in 44 hospitals and district capitals assist victims of gender-based violence and human trafficking. (1,65) In 2020, the government continued to support the Musanze center and one-stop centers, and the Rwandan Demobilization and Reintegration Commission, which assumes responsibility for Rwandan child soldiers returning from the Democratic Republic of the Congo, reported that it had provided services to 82 children during the reporting period. (9,26)
It Takes Every Rwandan to End Child Exploitation	Advocacy campaign against child labor and sexual abuse of children supported by MIGEPROF, the National Commission for Children, and World Vision Rwanda. (1,60) As part of the campaign, in 2020 the Ministry of Labor-associated Rwanda Extractive Industry Workers Union carried out a rapid assessment of child labor in the districts of Muhanga, Rwamagana, Gicumbi, and Gakenke, which found that children worked across the agriculture, services, and industry sectors, often performing hazardous work. (6)
Strengthening Social Protection Project (2017–2021)	An \$80 million World Bank-funded project in support of the Vision 2020 Umurenge Program, aims to deliver cash transfers and improve social safety nets. (66) In early 2021, the project was restructured to extend the end date by 6 months and to reallocate funding sources to bolster implementation funds for the Home-based Early Childhood Development and Sustainable Livelihoods Enhancement portions of the project. (67)

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

Program	Description
The Children's Forum	Provides a platform at the village, cell, sector, and district levels for children to express their opinions and be heard on matters concerning their lives, family, and country, which are incorporated into government plans of action and considered during the development of policies and programs. Managed by the NCDA and MINALOC, comprises children between ages 6 and 15. (22) In 2020, the 14th National Children's Summit highlighted the role the forums have played at influencing national policies related to child protection in Rwanda. (68)

† Program is funded by the Government of Rwanda.

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (69)

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. (19,42) Observers indicate that despite efforts to protect and assist victims of human trafficking, the country's shelter system was focused on short-term needs, with few resources for individuals needing long-term support. (10,21) In addition, service providers lacked sufficient training to properly identify and categorize victims of human trafficking. (10)

## 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
Legal Framework	Establish by law compulsory education up to the age of 15 and free basic public education.	2020
	Raise the compulsory education age to be consistent with the minimum age for employment.	2020
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 – 2020
	Increase the number of inspectors to meet the ILO's technical advice.	2009 – 2020
	Ensure that the labor inspectorate has sufficient resources, personnel, and training to enforce child labor laws.	2017 – 2020
	Cease the practice of detaining and beating children who work on the street and ensure that children in detention receive adequate screening and services, and are not subjected to abuse or unhealthy detention conditions.	2018 – 2020
Coordination	Ensure all coordinating bodies are able to carry out their intended mandates.	2019 – 2020
	Ensure that coordinating bodies receive adequate resources and are able to combat both domestic and transnational human trafficking.	2019 – 2020
Government Policies	Ensure that actions are taken to implement the Strategic Plan for the Integrated Child Rights Policy.	2019 – 2020
	Integrate child labor elimination and prevention strategies into the National Social Protection Strategy.	2011 – 2020
	Remove barriers to education, such as language barriers for non-English speakers, costs for uniforms, school supplies, and unofficial school fees, and ensure access for children with disabilities.	2010 – 2020
	Expand existing social programs to address all relevant sectors of child labor, including agriculture and domestic work.	2017 – 2020
	Expand services for human trafficking victims, including programs for long-term care in shelters.	2019 – 2020
	Ensure that service providers are properly trained to identify victims of human trafficking.	2019 – 2020

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# Saint Helena, Ascension, and Tristan da Cunha

NO ADVANCEMENT

Although research found no evidence that child labor exists in Saint Helena, Ascension, and Tristan da Cunha, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. The government has yet to define by law or regulation the types of hazardous 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. (1-4) Data on key indicators on children's work and education in Saint Helena, Ascension, and Tristan da Cunha 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. (5) Domestic UK law does not generally apply unless explicitly extended to these territories. Saint Helena, Ascension, and Tristan da Cunha are three separate territories that generally incorporate English Law Ordinances to the extent permitted by local circumstances and subject to modification by local laws. (2,5) 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. (5) The following Conventions have been extended to and accepted by 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 158 of the Welfare of Children Ordinance (6)
Minimum Age for Hazardous Work	Yes	18	Sections 158 of the Welfare of Children Ordinance (6)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Section 158 of the Welfare of Children Ordinance (6)

# Saint Helena, Ascensión, and Tristán da Cunha

## NO ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	No		Sections 8 (Saint Helena), 125 (Ascensión), and 190 (Tristán da Cunha) of the Constitution Order (7)
Prohibition of Child Trafficking	No		Articles 57–60 of the Sexual Offences Act (8)
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 (6,8)
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 Tristán da Cunha); Ascensión Island Education Policy (Ascensión) (9,10)
Free Public Education	Yes		Section 16 (Saint Helena), Section 132 (Ascensión), and Section 198 (Tristán da Cunha) of the Constitution Order; Section 43 (Saint Helena) of the Education Ordinance; and Education Policy (Ascensión) (7,9,10)

\* No conscription (11)

† No standing military (11)

The Government of Saint Helena, Ascensión, and Tristán da Cunha has not determined by national law or regulation the types of hazardous work prohibited to children, other than work on vessels engaged in maritime navigation. (2,6) The laws prohibiting forced labor in Saint Helena, Ascensión, and Tristán da Cunha are not sufficient because debt bondage and slavery are prohibited constitutionally but not criminally. (7) While the UK Sexual Offences Act, which is applicable to this territory, prohibits trafficking for sexual exploitation, it does not specifically address the trafficking of children and there are no laws prohibiting the trafficking of children for labor exploitation. (8)

### 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 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.

# Saint Helena, Ascension, and Tristan da Cunha

NO 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 Tristan da Cunha (Table 3).

**Table 3. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify international conventions on child labor.	2020
	Determine the types of hazardous work prohibited for children, in consultation with employers' and workers' organizations.	2013 – 2020
	Ensure that forced labor, debt bondage, and slavery are criminally prohibited.	2017 – 2020
	Establish laws to criminally prohibit trafficking of children for labor exploitation.	2014 – 2020
	Establish laws to criminally prohibit the use of children in illicit activities.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020

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In 2020, Saint Lucia made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched a comprehensive study to assess economically vulnerable populations in the country. The study will ultimately provide recommendations on effective ways to help the identified populations. The Trafficking in Persons Task Force also raised awareness through social media platforms and issued several press releases related to human trafficking. Although research is limited, there is evidence that children in Saint Lucia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in the sale and distribution of drugs. Saint Lucia's legal framework does not sufficiently protect children from hazardous work and illicit activities. In addition, policies addressing all forms of child labor, including the commercial sexual exploitation of children, do not exist.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Saint Lucia are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and in the sale and distribution of drugs. (1-4) Table 1 provides key indicators on children's work and education in Saint Lucia.

**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 (%)		99.8

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 4), 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
Services	Street vending, including selling food and handicrafts in markets (3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4)
	Use in illicit activities, including in the sale and distribution of drugs (1,4)

‡ 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, the government began a comprehensive study to assess economically vulnerable populations in the country. The study will serve to provide recommendations on effective ways to meet the needs of these populations. (7)

In 2020, reports indicated a significant increase in cases of commercial sexual exploitation of children. (3)

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 are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes in exchange for rides, clothing, or cell phones, by family members or caregivers in situations of financial need. (1,3) Additional sources also indicate that local and foreign children

# Saint Lucia

## MINIMAL ADVANCEMENT




are subjected to human trafficking for the purpose of commercial sexual exploitation, including by parents and caregivers. (2,3,8,9)

All children in Saint Lucia are entitled to free public education. However, violence in schools, some gang related, may hinder some children from attending. (10) Children who do not attend school are vulnerable to engage in child labor.

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Saint Lucia 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 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 (11,12)
Minimum Age for Hazardous Work	Yes	18	Article 122(2) of the Labor Code (11)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 126(b) and 214 of the Labor Code (11)
Prohibition of Forced Labor	No		Article 4 of the Constitution; Article 6 of the Labor Code (11,13)
Prohibition of Child Trafficking	Yes		Articles 3, 5, and 10(c) of Counter-Trafficking Act No. 7 (14)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 141 of the Criminal Code; Articles 2 and 5 of Counter-Trafficking Act No. 7 (14,15)
Prohibition of Using Children in Illicit Activities	No		Articles 141 and 560 of the Criminal Code (15)
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 (16)
Free Public Education	Yes		Article 16 of the Education Act (16)

\* No conscription (17)

† No standing military (17)



In 2020, the government began a comprehensive revision of the Labor Act, specifically addressing certain issues related to the Labor Department's mandate. It is currently under the review of the Attorney General. (3)

Saint Lucia has not determined by national law or regulation the types of hazardous work prohibited for children. (11) Although the Criminal Code prohibits the use of children in some illicit activities, such as street work, the use, procurement, or offering of children for the production and trafficking of drugs is not criminally prohibited. (15) Moreover, forced labor is only criminally prohibited if it results from human trafficking, and the use or offering of children for commercial sexual exploitation is not criminally prohibited. (11,13,15)

### 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 authority of enforcement agencies that may hinder adequate enforcement of their child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Infrastructure, Ports, Energy, and Labor	Enforces laws on child labor through labor inspections conducted by its Department of Labor. (8)
Royal Saint Lucia Police Force	Enforces criminal laws related to the worst forms of child labor. (8) Through its Vulnerable Persons Unit, in collaboration with the Division of Human Services, investigates cases of child labor, abuse, and neglect. The Vulnerable Persons Unit consists of 2 units of 12 officers each and leads in the enforcement of child labor laws. (8,18) Uses a specific manual to investigate crimes related to children. (8)
Ministry of Home Affairs, Justice, and National Security	Coordinates and leads anti-human trafficking efforts among various ministries. (19,20)
Department of Human Services and Family Affairs	Leads efforts related to childcare, protection, and adoption as mandated in the 2018 Child Care, Protection, and Adoption Bill. (10,21) Monitors and implements relevant legal framework related to cases of commercial sexual exploitation and trafficking in persons, including child victims. (22) Located within the Ministry of Equity. (10)

#### Labor Law Enforcement

In 2020, 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 Infrastructure, Ports, Energy, 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	2019	2020
Labor Inspectorate Funding	\$398,890 (3)	\$392,313 (3)
Number of Labor Inspectors	6 (8)	4 (3)
Inspectorate Authorized to Assess Penalties	No (8)	No (11)
Initial Training for New Labor Inspectors	No (8)	No (3)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	No (8)	No (3)
Number of Labor Inspections Conducted	300 (8)	150 (3)
Number Conducted at Worksite	300 (8)	150 (3)
Number of Child Labor Violations Found	0 (8)	0 (3)
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 (8)	Yes (3)
Routine Inspections Targeted	Unknown (8)	No (3)
Unannounced Inspections Permitted	Yes (8)	Yes (11)
Unannounced Inspections Conducted	Yes (8)	No (3)
Complaint Mechanism Exists	Yes (8)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (3)

# Saint Lucia

## MINIMAL ADVANCEMENT

In 2020, reports indicate that the decrease in the number of labor inspections was primarily due to COVID-19 pandemic-related restrictions and limited resources. (3) Although inspectors look for child labor and forced labor violations during all inspections, reports indicate that 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. (8) Inspectors can make recommendations to the Labor Commissioner, but cannot assess penalties, and furthermore existing penalties are insufficient to deter employers from committing child labor violations. (3,23)

### **Criminal Law Enforcement**

In 2020, 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 insufficient resources.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (24)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	No (3)
Refresher Courses Provided	Yes (24)	No (3)
Number of Investigations	0 (8)	30 (25)
Number of Violations Found	0 (8)	0 (3)
Number of Prosecutions Initiated	0 (8)	0 (3)
Number of Convictions	0 (8)	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	Yes (8)	Yes (3)

In 2020, reports indicate there were approximately 60 suspected cases of commercial sexual exploitation of children in contrast to 1 suspected case in 2019. (3) Of these 60 cases, 19 were referred by NGOs to the Division of Human Services and the police as possible cases of child sex trafficking. In addition, the police reported that they investigated 30 cases of commercial sexual exploitation of children under the Child Justice Act. (25) During the reporting period, the government also continued to investigate a suspected human trafficking case of a minor. Authorities are working with another government to locate and repatriate this victim. (7,26)

Reports indicate that insufficient resources, including funding, transportation, and equipment, hamper police capacity to enforce child labor laws. (18,27) Although the judicial system within the Ministry of Home Affairs, Justice, and National Security has a backlog of cases, and lacks the personnel and resources needed to address these issues, during the reporting period the government hired an additional judge and two prosecutors to address the backlog. (28,29)

## **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 efficacy in accomplishing mandates.

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

Coordinating Body	Role & Description
Ministry of Education, Innovation, Gender Relations, and Sustainable Development	Coordinates investigations of potential child labor cases and ensures the use of established protocols in collaboration with the Royal Saint Lucia Police Force. Active in 2020. (3,30)
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. (14,31) Conducted human trafficking awareness raising through social media platforms, and issued several trafficking in persons press releases during the reporting period. (7)
Office of Gender Relations	Provides referrals to human trafficking victims for health, advocacy, crisis, and legal services. (3) Research was unable to determine whether activities were undertaken by the Office of Gender Relations 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 no evidence of a policy addressing child labor and its worst forms.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Social Protection Policy (2014–2024)	Established 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. (18) Child protection policies are incorporated into poverty reduction concepts and promote access to education. (32,33) Research was unable to determine whether activities were undertaken to implement the National Social Protection Policy during the reporting period.

Research found no evidence of any policies addressing child labor and its worst forms.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Educational Programs†	Programs focused on increasing school attendance and promoting access to education. Includes the Saint Lucia Social Development Fund and Public Assistance Program, which fosters school attendance; the Community Empowerment’s After School Program, which aims to improve academic performance and maintains school attendance of children ages 8 to 16; the Upton Garden Girls Center, which provides education, training, and self-development opportunities to teenage girls; the Center for Adolescent Renewal and Education, which provides second-chance education, training, and self-development services to adolescents; the Boys Training Center, which 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, which funds textbook rentals, a book bursary that reimburses students for textbooks, a school feeding program, and a transportation subsidy program at most secondary schools. (19) During the reporting period, the government focused on providing school children with tablets, computers, and other resources to support at home learning since schools were closed in response to the pandemic. (25)
Building the Capacity of the Government of Saint Lucia and Promoting Awareness of Counter-Trafficking‡	\$105,000 government-funded, 2 year public awareness project to counter human trafficking; led by the Trafficking in Persons Task Force. Focuses on running radio and television announcements, printing posters and brochures, and maintaining a Facebook page to ensure a growing media and social media presence on human trafficking. (24) In 2019, the government assumed full financial support for this program from IOM. (24) Research was unable to determine whether activities were undertaken to implement this program during the reporting period.

† 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. (35)

# Saint Lucia

## MINIMAL ADVANCEMENT

In 2020, reports indicate that the Government of Saint Lucia implemented programs aimed at improving economic conditions throughout the country, particularly in rural, impoverished areas. The government also continued to fund the Saint Lucia Crisis Center, a local NGO that provides human trafficking victim assistance, including victims of child trafficking. (7)

Research found no evidence of any programs with the specific goal of eliminating or preventing the worst forms of child labor, including in commercial sexual exploitation and illicit activities such as the sale and transportation of drugs. In addition, overall funding for social programs remains a concern because it does not meet the needs of all children in the country, especially children subjected to human trafficking and those engaged in illicit activities, and funding remains highly dependent on foreign assistance. (19,36)

## 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 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 – 2020
	Ensure that laws criminally prohibit the forced labor of children in all instances.	2016 – 2020
	Ensure that laws criminally prohibit using or offering a child for commercial sexual exploitation.	2016 – 2020
	Ensure that laws prohibit procuring or offering a child for illicit activities, including drug trafficking and production.	2011 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
Enforcement	Ensure that the labor inspectorate receives sufficient funding for conducting labor inspections.	2015 – 2020
	Authorize labor inspectors to assess penalties for labor law violations.	2016 – 2020
	Ensure that labor inspectors and criminal investigators receive initial training on child labor law enforcement, and that refresher courses are also provided for both labor inspectors and criminal investigators.	2015 – 2020
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data on risk-prone sectors and patterns of serious incidents, and by conducting unannounced inspections.	2015 – 2020
	Increase the resources allocated to criminal investigators, including transportation and equipment.	2017 – 2020
	Ensure that existing penalties are sufficient to deter employers from committing child labor violations.	2018 – 2020
	Ensure that the judiciary has sufficient resources and personnel to allow cases to be tried in a timely manner.	2017 – 2020
Coordination	Ensure that the Office of Gender Relations is able to carry out its intended mandate.	2020
Government Policies	Ensure that the National Social Protection Policy is implemented and fulfills its mandate.	2015 – 2020
	Adopt policies to address the worst forms of child labor, including the commercial sexual exploitation of children.	2010 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Enhance efforts to eliminate barriers to education, and make it accessible for all children by ensuring that violence does not occur at schools.	2018 – 2020
	Ensure that activities are undertaken to implement all government funded programs.	2020
	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 – 2020
	Ensure that funding for social programs is sufficient so that it can meet the needs of all children, including vulnerable children, and that it does not highly rely on foreign assistance.	2017 – 2020

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# Saint Vincent and the Grenadines

MODERATE ADVANCEMENT

In 2020, Saint Vincent and the Grenadines made moderate advancement in efforts to eliminate the worst forms of child labor. The Anti-Trafficking in Persons Unit funded and conducted specialized human trafficking training for 181 new police recruits, the entire staff of the Sexual Offenses Unit, and participants in the police force's 2020 Basic Development Training Course. In addition, a new National Action Plan to Combat Human Trafficking was approved for 2021–2025, and campaigns aimed at increasing public awareness of human trafficking were conducted at Argyle International Airport and other popular gathering sites, as well as on radio and television announcements. Although research is limited, there is evidence that children in Saint Vincent and the Grenadines are subjected to the worst forms of child labor, including in commercial sexual exploitation. Gaps remain in the legal framework, as the law does not fully meet international standards because the use of children for prostitution, pornography, or pornographic performances is not prohibited. In addition, the minimum age for hazardous work falls below international standards and there is no legislation prohibiting the using, procuring and offering of children in illicit activities, including 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 are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1,2) 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 (%)		105.5

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (3)

Data were unavailable from International Labor Organization's analysis, 2021. (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	Activities unknown (1,2)
Services	Street vending, including selling fruits and vegetables at local farmers markets (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1,2)

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

Limited information received from various sources suggests 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. (1,2)

# Saint Vincent and the Grenadines




## MODERATE ADVANCEMENT

All children in the country are able to access education; however, inadequate public transportation for children in rural villages causes them to walk long distances to get to school, which may make attending school difficult. (1,6) Children out of school are vulnerable to engaging 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).

**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 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	14	Article 8 of the Employment of Women, Young Persons, and Children Act (7)
Minimum Age for Hazardous Work	No		Schedule, Part I, Articles 1, 2, and 5 of the Employment of Women, Young Persons, and Children Act (7)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Part I, Sections 3 and 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 (7,8)
Prohibition of Forced Labor	Yes		Chapter XII, Part 207 of the Criminal Code (9)
Prohibition of Child Trafficking	Yes		Part II, Articles 5–8 of the Prevention of Trafficking in Persons Act (10)
Prohibition of Commercial Sexual Exploitation of Children	No		Part II, Article 7 of the Prevention of Trafficking in Persons Act (10)
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 (6)
Free Public Education	Yes		Part III, Articles 14–16 of the Education Act (6)

\* No conscription (11)

† No standing military (12)

The government has not determined by national law or regulation the types of hazardous work prohibited for children. (7,8) In addition, the law does not fully meet international standards as it does not prohibit the use of children for prostitution, pornography, or pornographic performances. (10)

# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (6,7)

### 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 enforcement agencies 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. (13) Moreover, if the Department finds a criminal violation, it forwards the case to the Royal Saint Vincent and the Grenadines Police Force. (1)
Royal Saint Vincent and the Grenadines 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 ATIPU. (14)
Ministry of Social Development	Maintains the Child Protection Unit, which includes Child Protection Officers who report cases of child abuse. (1)

#### Labor Law Enforcement

In 2020, 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 financial resource allocation.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$626,076 (15)	\$618,758 (1)
Number of Labor Inspectors	6 (15)	6 (1)
Inspectorate Authorized to Assess Penalties	No (15)	No (16)
Initial Training for New Labor Inspectors	N/A (15)	No (1)
Training on New Laws Related to Child Labor	N/A (15)	N/A (1)
Refresher Courses Provided	No (15)	No (1)
Number of Labor Inspections Conducted	42 (15)	37 (1)
Number Conducted at Worksite	42 (15)	37 (1)
Number of Child Labor Violations Found	0 (15)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (15)	0 (1)
Number of Child Labor Penalties Imposed that Were Collected	0 (15)	0 (1)
Routine Inspections Conducted	Yes (15)	Yes (1)
Routine Inspections Targeted	Yes (15)	Yes (1)
Unannounced Inspections Permitted	Yes (15)	Yes (16)
Unannounced Inspections Conducted	Yes (15)	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

During the reporting period, the Department of Labor reported that the number of inspectors and funding was sufficient; however, a lack of appropriate resources, such as computers and training, hampered the Department's abilities to enforce child labor laws. (1,17)

#### Criminal Law Enforcement

In 2020, 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 financial and human resources.

# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (15)	Yes (18)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	N/A (1)
Refresher Courses Provided	Yes (15)	Yes (18)
Number of Investigations	0 (15)	0 (1)
Number of Violations Found	0 (15)	0 (1)
Number of Prosecutions Initiated	0 (15)	0 (1)
Number of Convictions	0 (15)	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 (15)	Yes (1)

In 2020, the Anti-Trafficking in Persons Unit (ATIPU) funded and conducted specialized human trafficking training for 181 new police recruits, the entire staff of the Sexual Offenses Unit, and participants in the police force's 2020 Basic Development Training Course. (18)

During the reporting period, insufficient resources, including limited personnel and vehicles, hampered the capacity of ATIPU to combat human trafficking throughout the country, especially in remote, mountainous areas. (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 hinder 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 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. (10) Comprises representatives from police, immigration, public prosecutions, social services, gender affairs, the Department of Labor, and a local NGO. (19) During the reporting period, in collaboration with the ATIPU, coordinated various efforts by the police, the Office of the Director of Public Prosecutions, the Social Services Division, the Coast Guard, the Department of Labor and other government agencies. (18)

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 Child Protection Policy Framework (2015–2020)	Strengthened national child protection strategies and programs, and ensured effective coordination among all organizations and entities working for the protection and development of children in the country, including child labor victims. (20) Research was unable to determine whether activities were undertaken to implement the National Child Protection Policy Framework during the reporting period.

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

Policy	Description
National Plan of Action Against Trafficking in Persons (2016–2020)	Established procedures to eradicate human trafficking, including training for frontline staff and other relevant stakeholders; conducted awareness-raising campaigns; and provided victim protection and assistance. Administered by the National Task Force Against Trafficking in Persons. (19,21) In July 2020, the ATIPU hosted a 2-day symposium to review the National Plan of Action Against Trafficking in Persons and the Memorandum of Understanding on Countering Human Trafficking in Saint Vincent and the Grenadines. Moreover, the government conducted human trafficking awareness trainings for four churches, an NGO and two schools, addressing topics such as the definition of human trafficking, child trafficking, victim care, human trafficking indicators, causes and consequences, and examinations on the Prevention of Trafficking in Persons Act. (18) All trainings were funded by the Government of Saint Vincent and the Grenadines. (18)
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. Assigns tasks and responsibilities among nine government stakeholders regarding trafficking in persons. (22) Includes the Department of Labor, Ministry of Foreign Affairs, Trade and Commerce, ATIPU, and others. (23) In 2020, the government supported the MOU between signatory agencies, and a local NGO also signed the MOU during the reporting period. (1, 18)

In 2020, a new National Plan of Action to Combat Human Trafficking was approved for 2021–2025. (5)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Educational Programs†	Provide free meals to students and low-income families through the Supplementary Feeding Program. (24) In 2020, the government also continued to fund other programs, such as the Book Loan Program, the Street Children Rehabilitation Program, and the Foster Care Program. (1)
Zero Hunger Trust Fund†	Provides meals, materials, and uniforms to children in need. (25) Reports indicate that during the reporting period, limited resources prevented the program from sufficiently assisting all children in need. (1)

† Program is funded by the Government of Saint Vincent and the Grenadines.

During the reporting period, the ATIPU continued to conduct awareness-raising campaigns by displaying posters and handing out materials aimed at increasing public awareness of human trafficking at Argyle International Airport and other popular gathering sites. The ATIPU also raised awareness through radio and television announcements, and partnered with a local NGO to place new banners in the arrivals and departure areas of the airport. (18)

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 who are victims of commercial sexual exploitation. (26)

## 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 for children, in consultation with workers' and employers' organizations, and ensure that the minimum age for hazardous work is age 18.	2009 – 2020
	Ensure the use of children for prostitution, pornography, and pornographic performances is criminally prohibited.	2017 – 2020



# Saint Vincent and the Grenadines

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit the using, procuring and offering of children for illicit activities, including in the production of drugs.	2011 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2016 – 2020
	Strengthen the labor inspectorate by providing sufficient resources to conduct labor inspections, including by providing computers and training.	2015 – 2020
	Ensure that labor inspectors are provided initial trainings and refresher courses related to child labor.	2018 – 2020
	Increase the amount of resources, including personnel and vehicles, for the Anti-Trafficking in Persons Unit.	2017 – 2020
Coordination	Establish coordinating mechanisms to combat all forms of child labor.	2019 – 2020
Government Policies	Ensure that activities are undertaken to implement the National Child Protection Policy Framework.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Enhance efforts to eliminate barriers and make education accessible for all children, including children in rural communities, by providing public transportation.	2018 – 2020
	Institute programs to address the worst forms of child labor in commercial sexual exploitation.	2017 – 2020
	Ensure that the Zero Hunger Trust Fund program has sufficient resources to assist all children in need.	2019 – 2020

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In 2020, Samoa made minimal advancement in efforts to eliminate the worst forms of child labor. The government submitted two pieces of draft legislation, the Labour and Employment Relations Amendment Act 2020 and the Child Protection Bill 2020, to be considered during the next session of parliament. Children in Samoa are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in street vending. Research found no evidence of laws that prohibit using, procuring, or offering children for illicit activities, including for the production and trafficking of drugs. In addition, the government did not publicly release information on its labor law enforcement or criminal law enforcements efforts.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Samoa are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1) Children also engage in dangerous tasks in street vending. (1-3) 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 (%)		108.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4) Data were unavailable from International Labor Organization's analysis, 2021. (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 and animal husbandry, activities unknown (1)
Services	Domestic work (1)
	Street vending, including selling food, garlands, and other products (1-3,6-10)
	Garbage scavenging (1)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,11)
	Use in illicit activities, including selling drugs (1)

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

Children who participate in street vending may work long hours, late at night, be exposed to exhaust fumes, and have an increased risk of being hit by passing traffic. In addition, street vending, including selling of food, garlands, and other products by children is not prohibited for children under age 18. (1,7,10)

Children must present birth certificates to attend school. In 2020, the government established an additional requirement for school attendance mandating that parents provide vaccination records of students following a countrywide vaccination campaign during the measles epidemic in late 2019. (10) To attend school, the vaccination records must show that the child has not only completed all vaccinations, but also that they were vaccinated during the mass vaccination campaign in 2019. Parents who decided against vaccination are faced with a fine and children are not allowed to attend school unless a vaccination certificate is provided. (10) The burden of school fees, such as registration, uniforms, and transportation fees, may prevent some children from attending school. (12,13)




# Samoa

## MINIMAL 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 Labor and Employment Relations Act (14)
Minimum Age for Hazardous Work	Yes	18	Article 51 of the Labor and Employment Relations Act (14)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 51 of the Labor and Employment Relations Act; Article 21 of the Labor and Employment Relations Regulations; Government of Samoa Public Notice on Hazardous Work for Children (14-16)
Prohibition of Forced Labor	Yes		Article 8 of the Constitution; Article 18 of the Labor and Employment Relations Act; Sections 155–157 of the Crimes Act (14, 17, 18)
Prohibition of Child Trafficking	Yes		Sections 155–157 of the Crimes Act (18)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 73–74, 82, and 157 of the Crimes Act (18)
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 (19)
Compulsory Education Age	Yes	16	Article 2 (Section 2) of the Education Amendment Act (20)
Free Public Education	No		

† No standing military (19)

The Labour and Employment Relations Regulations permit children between ages 12 and 14 to engage in light work for a limited number of hours. However, they neither specify the conditions under which light work may be undertaken nor define the activities that are permitted. (15)

Research 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 ages 15 to 18. (19) 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 ages 16 to 18. (18) 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. (14,20) The Government of Samoa passed the Education Amendment Act 2019, which raised the compulsory education age to 16. (20)

During the reporting period, the government submitted two pieces of draft legislation, the Labour and Employment Relations Amendment Act 2020 and the Child Protection Bill 2020, to be considered during the next session of parliament when the new government is formed. (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 enforcement agencies 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)	Enforces the Labor and Employment Relations Act, which includes investigating complaints of child labor law violations. (22,23) Refers cases to the Ministry of Police and the Office of the Attorney General for enforcement. (23)
Ministry of Police	Enforces criminal laws related to child labor. (23)
Office of the Attorney General	Prosecutes criminal cases of the worst forms of child labor. (23)
Ministry for Women, Community, and Social Development	Assists in MCIL investigations as needed. Mandated to protect children, including those working on the street. (24,25) Once a child is identified as being in a situation of child labor, his or her family is located and a home visit scheduled, during which the Child Protection teams educate families on the importance of attending school and on the risks and hazards of street vending. (26)
Ministry of Education, Sports, and Culture	Assists in MCIL investigations, as needed. (27)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Samoa took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Commerce, Industry, and Labor that may hinder adequate labor law enforcement, including lack of labor inspectors' ability to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$48,422 (28)	Unknown (10)
Number of Labor Inspectors	3 (28)	Unknown (10)
Inspectorate Authorized to Assess Penalties	No (14)	No (14)
Initial Training for New Labor Inspectors	N/A (28)	Unknown (10)
Training on New Laws Related to Child Labor	N/A (28)	Unknown (10)
Refresher Courses Provided	Yes (28)	Unknown (10)
Number of Labor Inspections Conducted	32 (23)	Unknown (10)
Number Conducted at Worksites	32 (23)	Unknown (10)
Number of Child Labor Violations Found	0 (28)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (28)	Unknown (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A (28)	Unknown (10)
Routine Inspections Conducted	Yes (28)	Unknown (10)
Routine Inspections Targeted	Yes (28)	Unknown (10)

# Samoa

## MINIMAL ADVANCEMENT

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

Overview of Labor Law Enforcement	2019	2020
Unannounced Inspections Permitted	Yes (14)	Yes (14)
Unannounced Inspections Conducted	Yes (23)	Unknown (10)
Complaint Mechanism Exists	Yes (28)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (28)	Unknown (10)

In 2020, the Government of Samoa continued, when conducting inspections, to distribute its Letter of Intent for the Employment of Children, which reiterates restrictions on child labor in street vending. (23,29) The government did not provide any additional information on its labor law enforcement efforts for inclusion in this report.

While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed countries, Samoa would need to employ 2 labor inspectors as its workforce consists of over 50,700 workers.

### **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	2019	2020
Initial Training for New Criminal Investigators	Unknown (3)	Unknown (10)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (10)
Refresher Courses Provided	Unknown (3)	Unknown (10)
Number of Investigations	Unknown (3)	Unknown (10)
Number of Violations Found	Unknown (3)	Unknown (10)
Number of Prosecutions Initiated	Unknown (3)	Unknown (10)
Number of Convictions	Unknown (3)	Unknown (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (3)	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (3)	Unknown (10)

The government did not provide information on its criminal law enforcement efforts 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 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. (30,31) Active in 2020. (27)
Child Vendor Taskforce	A multi-agency taskforce that comprises the MCIL; Ministry of Police; Ministry of Women, Community, and Social Development; and Ministry of Education, Sports, and Culture to reduce the prevalence of child vendors in towns and cities through patrol sweeps and conducting outreach activities. (23) Active in 2020. (27)

Although the Child Vendor Taskforce exists, research found no evidence that the task force functions as a coordinating mechanism 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 mainstreaming child labor issues into relevant policies.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
UN Pacific Strategy (2018–2022)	A multi-national 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. (32) Research was unable to determine whether activities were undertaken to implement the UN Pacific Strategy 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, which detail the Government of Samoa's goals and key outcomes regarding education and development priorities. (10,33,34)

In May 2020, the National Policy Coordination Committee approved the National Child Care and Protection Policy. (27) In addition, the Samoa Inter Agency Essential Services Guide for Responding to Gender-Based Violence and Child Protection was released in January 2021. The Guide was developed by the Ministry of Women, Community and Social Development, with technical support from UN Women, UNICEF, and UN Populations Fund (UNFPA). (27)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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-funded program that promoted decent work in Samoa. Supported legal reform and improved implementation of laws related to child labor, promoted access to information and employment services for youth, and aimed to increase the youth employment rate. (35,36) 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†	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. (10,13)
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. (38,39) Research was unable to determine whether activities were undertaken to implement the One Government Grant program during the reporting period.

† Program is funded by the Government of Samoa.

Although the government has implemented educational support programs, research 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).

## 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.	2017 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children from involvement in child labor, including street vending.	2013 – 2020
	Ensure that the law criminally prohibits commercial sexual exploitation of children between ages 16 to 18.	2018 – 2020
	Ensure that the law criminally prohibits using, procuring, or offering a child for illicit activities, including for the production and trafficking of drugs.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2019 – 2020
	Ensure access to free public education.	2020
Enforcement	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, whether unannounced inspections were conducted, whether training on new laws related to child labor were conducted, whether refresher training courses were provided, whether complaint mechanisms exist, whether reciprocal referral mechanisms exist between labor authorities and social services for all provinces.	2020
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of investigations conducted, violations found; prosecutions initiated; convictions made, and penalties imposed.	2013 – 2020
	Authorize the labor inspectorate to assess penalties.	2015 – 2020
	Establish a referral mechanism between labor enforcement authorities and social services providers.	2014 – 2020
	Ensure the number of labor inspectors in Samoa meets the ILO's technical guidance.	2020
Coordination	Ensure the Child Vendor Taskforce meets regularly and effectively carries out its mandate.	2019 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the Strategy for the Development of Samoa and the Education Sector Plan.	2012 – 2020
	Publish activities undertaken to implement the UN Pacific Strategy during the reporting period.	2019 – 2020
Social Programs	Enhance efforts to make education accessible for all children by fully eliminating school-related costs, including registration fees, uniforms, transportation fees.	2016 – 2020
	Institute programs to address child labor, including in street vending and commercial sexual exploitation of children.	2009 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2017 – 2020
	Publish activities undertaken to implement the Samoa Decent Work Country Program during the reporting period.	2018 – 2020
	Publish activities undertaken to implement the One Government Grant social program during the reporting period.	2019 – 2020

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In 2020, São Tomé and Príncipe made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched the Girls Empowerment and Quality Education for All project, which aims to provide safe learning spaces, improve school infrastructure, and work with families and communities to empower girls with relevant life skills. The program also aims to increase school readiness for both boys and girls by substantially boosting education, in particular within the areas of literacy and numeracy. The government also created the Department of Child Protection, which is housed under the Directorate of Social Protection and Solidarity. The new department leads a multi-sector team focused on combating child labor. However, children in São Tomé and Príncipe are subjected to the worst forms of child labor, including in commercial sexual exploitation. Children also perform dangerous tasks in agriculture. The Labor Code permits children younger than age 14 to work under certain circumstances, which is not consistent with international standards. Lastly, limited financial resources hampered law enforcement efforts, and criminal law enforcement did not take actions to combat child labor during the reporting period. In addition, the National Action Plan for the Elimination of Child Labor was not implemented due to a lack of financial resources.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in São Tomé and Príncipe are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1,2) Children also perform dangerous tasks in agriculture. (1,3) Table 1 provides key indicators on children's work and education in São Tomé and Príncipe. 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	22.6 (Unavailable)
Attending School (%)	5 to 14	89.2
Combining Work and School (%)	7 to 14	24.9
Primary Completion Rate (%)		84.3

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 5 (MICS 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 weeding and fertilizing† (1,3,6)
	Fishing,† including line and hook fishing (1,3,6)
Industry	Carpentry and woodworking (1)
	Construction† (1,3)
Services	Working in shops, restaurants, and bars† (1,3)
	Street work,† including begging and street vending† (1,3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation (1,2)

† 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.

# São Tomé and Príncipe




## MINIMAL ADVANCEMENT

In 2020, according to the Institute of Gender Equality and Equity, the number of cases of commercial sexual exploitation of children increased by 70 percent, due, in part, to economic consequences related to the COVID-19 pandemic. (2)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

São Tomé and Príncipe 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 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	Articles 268(2) and 269 of the Labor Code (7)
Minimum Age for Hazardous Work	Yes	18	Articles 273(2), 274 and 536 of the Labor Code; Article 171 of the Civil Code (7,8)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Work List in Annex IV of Labor Code (7)
Prohibition of Forced Labor	Yes		Articles 159, 160, and 181 of the Penal Code (9)
Prohibition of Child Trafficking	Yes		Articles 160 and 181 of the Penal Code (9)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 179–182 of the Penal Code (9)
Prohibition of Using Children in Illicit Activities	Yes		Articles 279, 280, and 289 of the Penal Code (9)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Legislation title unknown (10)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 1 of Decree-Law 3/83 (11)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	15†	Articles 11 and 12 of the Basic Education System Law (12)
Free Public Education	Yes		Article 12 of the Basic Education System Law (12)

† Age calculated based on available information (12)

Although the Labor Code established age 15 as the minimum work age, the law permits children younger than age 14 to work under certain circumstances, which is not consistent with international labor standards. In addition, the Labor Code permits children age 14, who have completed their compulsory education, to perform



light work that is not deemed harmful to their health or development; however, special legislation specifying the activities and conditions in which light work may be undertaken has yet to be adopted. (7)

The minimum age protections contained in the Legal Regime of Individual Employment Conditions do not apply to children working outside of a formal labor relationship, such as children who are self-employed. (13,14)

### 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 enforcement agencies 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 2020, 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	2019	2020
Labor Inspectorate Funding	\$20,000 (15)	\$25,000 (1)
Number of Labor Inspectors	3 (15)	4 (1)
Inspectorate Authorized to Assess Penalties	Yes (15)	Yes (16)
Initial Training for New Labor Inspectors	N/A (15)	N/A
Training on New Laws Related to Child Labor	N/A (15)	N/A
Refresher Courses Provided	No (15)	No (1)
Number of Labor Inspections Conducted	50 (15)	60 (1)
Number Conducted at Worksite	Unknown	60 (1)
Number of Child Labor Violations Found	0 (15)	0 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (15)	N/A
Number of Child Labor Penalties Imposed that Were Collected	N/A (15)	N/A
Routine Inspections Conducted	Yes (15)	Yes (1)
Routine Inspections Targeted	Yes (15)	Yes (1)
Unannounced Inspections Permitted	Yes (15)	Yes (16)
Unannounced Inspections Conducted	Yes (15)	Yes (1)
Complaint Mechanism Exists	Yes (15)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (15)	Yes (1)

Reports indicate that in 2020, there were a total of four labor inspectors and four assistants in the Ministry of Labor and Social Affairs. (1) Although inspections are permitted in all sectors, they are seldom conducted in the informal sector, in which instances of child labor are more prevalent, and are rarely conducted at worksites. Reports also indicate that the allotted budget for the labor inspectorate was insufficient to cover operating costs, including fuel and transportation. (1)

Children found working during inspections by labor inspectors are referred to the Directorate of Social Protection and Solidarity within the Ministry of Labor and Social Affairs. Currently, there are three official centers for child integration in the country, and each works in partnership with the government. (1)

# São Tomé and Príncipe

## MINIMAL ADVANCEMENT

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in São Tomé and Príncipe took actions to combat child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	N/A (15)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (15)	N/A
Refresher Courses Provided	No (15)	No (1)
Number of Investigations	Unknown	0 (1)
Number of Violations Found	0 (15)	0 (1)
Number of Prosecutions Initiated	0 (15)	0 (1)
Number of Convictions	0 (15)	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 (15)	Yes (1)

During the reporting year, investigators lacked resources, including transportation, fuel, and other necessities to carry out investigations. (1)

Children found by Ministry of Justice and Human Rights officials are referred to the Directorate 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 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
Anti-Child Labor Committee	Leads efforts to eliminate the worst forms of child labor. (1) Led by the Ministry of Labor and Social Affairs. (17) Research was unable to determine whether activities were undertaken during the reporting period.
Directorate of Social Protection and Solidarity in the Ministry of Labor and Social Affairs	Provides counseling and integration services to children found during labor inspections and criminal investigations. (1) In 2020, the Department of Child Protection was created under the Directorate, and will lead a multi-sector team focused on combating child labor. (18)

## 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 Policy and Strategy for Social Protection (2014–2023)	Establishes social protection strategies aimed at protecting all Santomeans by eliminating extreme poverty over a 10 year timeframe, reinforcing the rights of children, and combating child labor. The policy does not specifically cover the worst forms of child labor present in São Tomé and Príncipe, including commercial sexual exploitation. (19)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (21) Active in 2020. (1)
Disadvantaged Mothers Program ( <i>Mães Carenciadas</i> )†	Government program that provides family stipends, school materials, and uniforms on an as-needed basis. The support is distributed by social workers. (22) Active in 2020. (23)
World Bank-Funded Projects	Includes a \$10 million 4 year Family Program, which focuses on implementing education policies and provides cash stipends of \$55 that are distributed twice a month to the poorest families; and a \$15 million 4 year Girls Empowerment and Quality Education for All Project,* which was launched in 2020, aimed at providing safe learning spaces, improving school infrastructure, working with families and communities to empower girls with relevant life skills, and increasing school readiness for both boys and girls by boosting education, particularly within the areas of literacy and numeracy. (1,15,24) In 2020, due to the pandemic, the number of beneficiaries from the Family Program increased from 2,624 to 16,000, including parents of children who work as street merchants. (1,24)
Decent Work Country Program (2018–2021)†	Government program in collaboration with ILO that aims to eliminate the worst forms of child labor through legislative action and strategic programs. (25,26) Research was unable to determine whether activities were undertaken to implement the Decent Work Country Program during the reporting period.

\* Program was launched during the reporting period.

† Program is funded by the Government of São Tomé and Príncipe.

Although São Tomé and Príncipe has programs that target child labor, the scope of these programs is insufficient to fully address the problem, especially 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	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Ensure that the minimum age for work of age 15 applies to all children.	2018 – 2020
	Adopt legislation defining the activities and conditions permissible for light work.	2018 – 2020
	Ensure that all children are protected by law, including children who are self-employed.	2015 – 2020
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 – 2020
	Provide inspectors and investigators with appropriate training, and equip labor inspectors and criminal investigators with the necessary resources to conduct inspections, including fuel and transportation.	2009 – 2020
Coordination	Ensure the Anti-Child Labor Committee is able to carry out its intended mandate.	2020
Government Policies	Adopt policies to address the worst forms of child labor, including the commercial sexual exploitation of children.	2020
Social Programs	Implement programs that specifically target child labor in agriculture.	2010 – 2020
	Publish activities undertaken to implement the Decent Work Country Program during the reporting period.	2020

# São Tomé and Príncipe

## MINIMAL ADVANCEMENT

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In 2020, Senegal made moderate advancement in efforts to eliminate the worst forms of child labor. A government initiative to address the COVID-19 pandemic through the "Zero Children" program removed 5,130 children from the streets, many of whom were victims of forced begging. The National Task Force Against Trafficking in Persons also finalized its National Action Plan for 2021–2023. In addition, the government created a new coordination mechanism that includes a National Unit for Coordination, Monitoring, and Follow Up of Emergency Protection of Children Against COVID-19. However, children in Senegal are subjected to 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. Hazardous work prohibitions do not include domestic work or street work, areas in which there is evidence of potential harm to child workers, and labor and criminal law enforcement agencies lack resources to adequately enforce child labor law. In addition, an overlap of mandated activities among mechanisms to coordinate efforts to address child labor creates confusion and obstructs effective collaboration.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Senegal are subjected to 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. (1-5) Table I 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 I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	22.3 (Unavailable)
Attending School (%)	5 to 14	53.0
Combining Work and School (%)	7 to 14	13.9
Primary Completion Rate (%)		61.2

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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	Herding cattle (8)
	Fishing, activities unknown (2,9)
	Farming, including the production of cotton, rice, peanuts, and mangoes (2,9)
Industry	Washing ore, crushing rocks, using mercury, and carrying heavy loads† while mining gold, iron, and salt, and quarrying rock (4,8)
	Welding and auto repair (9,10)
Services	Domestic work (1,2,5)
	Street work, including vending (1,2,9,5,11)
Categorical Worst Forms of Child Labor‡	Forced domestic work, gold mining, fishing, and farming, each sometimes as a result of human trafficking (1,12,4)
	Commercial sexual exploitation, sometimes as a result of human trafficking (10,13)
	Forced begging, sometimes as a result of human trafficking (1,2,9,5,14-18)

† 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.



# Senegal

## MODERATE ADVANCEMENT




Children in Senegal are exploited in domestic servitude and forced labor in gold mines, and are victims of trafficking for commercial sexual exploitation, particularly within the country. (1,9,14,19) 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. (1-3,5,19-21) Corrupt *marabouts* take the *talibés*' earnings and beat those who fail to meet the daily quota. (2,9,20) Research found that this practice enriches *marabouts*, bringing in over \$10 million annually in Dakar alone. (22,23) *Talibés* at such institutions often live in overcrowded, unsanitary conditions, receive inadequate food and medical care, and are vulnerable to physical and sexual abuse. (2,13,20) Children from rural areas in Senegal and neighboring countries are particularly vulnerable to this practice and are sometimes victims of human trafficking. (9,20,21,24)

Barriers to education exist that force some students to quit school, including school-related fees, a lack of birth registration documents, and shortages of both teachers and rural schools. Some girls reportedly quit school due to sexual harassment, including by teachers. (9,10,25,26)

## 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 (27,28)
Minimum Age for Hazardous Work	Yes	18	Articles 1, 2, and 3 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; Articles 1, 2, and 3 of the Ministerial Order No. 3751 Determining the Categories of Business and Work Prohibited to Children and Youth (29-31)
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 (29-31)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Articles L. 4 and L. 279 of the Labor Code; Articles 2 and 4 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 (27,31,32)
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 (32)
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 (31,33)
Prohibition of Using Children in Illicit Activities	No		Article 2 of the Ministerial Order No. 3749 Determining and Prohibiting the Worst Forms of Child Labor (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 19 of Law No. 2008-28 (34)
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 (35)
Free Public Education	Yes		Article 3 of Law No. 2004-37; Articles 21–22 of the Constitution (35,36)

\* No conscription (8)

On January 2, 2019, the Ministerial Council endorsed draft legislation amending the Labor Code pertaining to the minimum age for admission to employment. The proposal would raise the minimum age for "light work" from age 12 to 13 and raise the basic minimum age for work from age 15 to 16. (9) It would also do away with certain exemptions that allow youth as young as age 16 to work in hazardous occupations. These proposed amendments have not yet come into force. (9) The government also drafted a revised law on human trafficking that aims to widen the law's use by prosecutors because it has seldom been applied in the past. (9)

In September 2018, as part of the draft law comment period, the government finalized and publicized a draft of the revamped Child Code, but it was still pending final approval at the end of the reporting period. (2,9,37) While the 2005 anti-trafficking law criminalizes forced begging, provisions in the Penal Code that allow the seeking of alms under certain conditions may have hampered the ability of law enforcement officials to distinguish between traditional alms-seeking and exploitation through forced begging. (21,31,38) 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. (8,29-31) The light work provisions are 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 under which light work may be undertaken. The light work framework also does not meet international standards as it applies to children under the age of 13. (27,28) 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. (27,28,35)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**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. (26)
Ministry of Women, Family, Gender, and Child Protection (MWFGCP)	Contributes to the creation and implementation of child protection policies and provides services to victims of exploitative child labor. Operates the Ginddi Center for vulnerable children and a toll-free child protection hotline through which the public can report child labor abuses. (14,15,21) In 2020, created a new program (Emergency Protection Project for Children in Street Situations) to address child victim identification during the pandemic, an undertaking that includes identification and tracking processes to follow the children and their whereabouts long term with the assistance of local community women's organizations. (9) Also created a new coordination mechanism that includes a National Unit for Coordination, Monitoring, and Follow Up of Emergency Protection of Children Against COVID-19 during the pandemic, established at the national level. (9)
Ministry of Justice (MOJ)	Prosecutes violations of child labor laws. (39) 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 MWFGCP to provide services to vulnerable children. (15,40) Does not train the gendarmerie or the police to identify child labor violations, nor are they required or expected to report such violations to MOL. (9)
Ministry of the Interior and Public Security	Oversees all law enforcement agencies, including police officials who investigate cases of human trafficking and forced child begging, and arrests perpetrators of the worst forms of child labor. (39,41,42) Houses the Children's Unit, located in Dakar, which employs three officers who specialize in child protection, victim identification, and reintegration. (15,41) Through its Children's Unit, receives assistance from the Vice Squad in child protection cases. (43) Through its Air and Border Police ( <i>Police de l'air et des frontières</i> ), focuses on migrant smuggling and transnational crimes. (44)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Senegal took actions to combat child labor (Table 6). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws, including an insufficient number of inspectors.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$203,100 (2)	Unknown (9)
Number of Labor Inspectors	68 (2)	68 (9)
Inspectorate Authorized to Assess Penalties	Yes (2)	Yes (27)
Initial Training for New Labor Inspectors	Yes (2)	Yes (9)
Training on New Laws Related to Child Labor	N/A (2)	N/A (9)
Refresher Courses Provided	Yes (2)	Yes (9)
Number of Labor Inspections Conducted	Unknown (2)	Unknown (9)
Number Conducted at Worksite	Unknown (2)	Unknown (9)
Number of Child Labor Violations Found	0 (2)	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	N/A (9)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	N/A (9)
Routine Inspections Conducted	Yes (2)	Yes (9)
Routine Inspections Targeted	Yes (2)	Yes (9)
Unannounced Inspections Permitted	Yes (2)	Yes (27)
Unannounced Inspections Conducted	Yes (2)	Yes (9)
Complaint Mechanism Exists	No (2)	No (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (9)

The number of labor inspectors is likely 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 175 labor inspectors. (45,46) Research indicates that the labor inspectorate has assigned only one inspector and one controller to child labor cases.

Despite many anecdotal reports of child labor, the Ministry of Labor, Social Dialogue, Professional Organizations, and Institutional Relations (MOL) did not formally report any cases of child labor during the reporting period. (9)

Anecdotal reports indicate that there is a lack of child labor law enforcement in the informal sector, in which most children are employed. This is especially true of the gold-mining sector, the lion's share of whose activities take place in the southeast of the country in the Kédougou region, far from the capital. (2, 14, 21, 47) Article L. 241 of the Labor Code grants inspectors the authority to assess penalties for all offenses; however, they typically do so only in the case of minor infractions, referring more serious violations to the courts. (27, 39) Courts may require violations to be resolved through conciliation at the labor inspectorate or refer cases to a tribunal for judgment. (39) The government did not provide information on its labor law enforcement funding, the number of labor inspections conducted, or the number of inspections conducted at worksites for inclusion in this report. (9)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Senegal 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 insufficient training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
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	9 (2)	Unknown (9)
Number of Violations Found	7 (2)	Unknown (9)
Number of Prosecutions Initiated	7 (2)	3 (9)
Number of Convictions	2 (48)	3 (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Unknown (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (9)

The government did not provide information on its criminal law enforcement efforts, including the number of investigations, the number of violations found, or the number of imposed penalties for violations related to the worst forms of child labor for inclusion in this report.

The authorities have had limited success in prosecuting cases related to forced begging due to a lack of governmental coordination, resource constraints, and lack of political support, particularly in rural areas. (14, 47, 49) 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. (50) Research indicates that training for criminal investigators was cursory and not sufficient to fully enforce existing laws protecting children against labor abuses. (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 overlap of institutional mandates.

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**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 MOL and includes representatives from three ministries, the police, and elected officials. (47) Did not meet in 2020, and has not been operational since 2012. (9)
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. (14,47,51) Chaired by MOJ and employs five staff members. (41,47,51) During the reporting period, finalized its National Action Plan for 2021–2023. Was allocated \$113,422 (60 million FCFA) in 2020 by the government compared with \$30,246 (16 million FCFA) in 2019. (9,52)
Childhood Protection Unit (CAPE)	Coordinates government efforts related to child protection, including through the implementation of the National Strategy on Child Protection. (43,44,47,53,54) 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. (55) Research was unable to determine whether CAPE was active during the reporting period. (9) In April 2021, CAPE sponsored a workshop for various stakeholders on child digital literacy and protecting children against sexual exploitation online, especially during periods of school inactivity due to the COVID-19 pandemic. (52)
Trafficking in Persons Database (Systraite)	In October 2019, the Government of Senegal officially launched the country's first national trafficking in persons database, <i>Système de suivi de la traite</i> , or "Systraite." In 2020, piloted databases in five regions: Dakar, Saint Louis, Thies, Kedougou, and Tambacounda. (1,56,57) Launched in partnership with IOM and with funding from USDOS, they collected data on human trafficking victims, convictions, and perpetrators. (58) During the reporting period, judicial actors were trained on the Systraite system. Intended expansion of this program was delayed due to the pandemic-related issues. (3)
Daara Mapping	Used to identify where forced child begging occurs in Senegal. (12) In collaboration with local communities, USAID, foreign NGOs, UNODC, and the CNLTP, daara mapping has been taking place since 2014. (1,12) Research was unable to determine whether any daara mapping activities took place during the reporting period.

The government significantly increased funding to the National Task Force Against Trafficking in Persons (CNLTP) in 2020. However, overlap among the activities of the coordinating bodies due to duplicative institutional mandates creates confusion and obstructs effective collaboration and implementation of efforts. (14,19,47)

## 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 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, serves as a continuation of the preceding action plan and consists of four axes: prevention, protection and prosecution, capacity building, and research and evaluation. (14,47) During the reporting period, continued the 2018–2020 National Action Plan, with wide participation by both public and non-public entities. Continued to utilize international donors as the primary mechanism to provide training. (1)
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. (15) Implemented through Child Protection Committees, currently established in 24 prefectures, which refer victims to social services and assist law enforcement with reintegrating child trafficking victims. (15,41) Research was unable to determine whether there were activities related to 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. (41)

Research was unable to determine whether any actions were undertaken in 2020 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 2020, 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)†	Funded and overseen by the government, removes children who are begging from the streets of Dakar and place them in government-run shelters or return them to their homes. (1,21,53,59) Provided \$715,000 in funding to MWFGCP to create a component to address the pandemic through the "Zero Children" program, which provided 500 <i>daaras</i> with 72,091 hygiene kits for students. This new component also removed 5,130 children from the streets, many of whom were victims of forced child begging. (9)
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> that aims to regulate, inspect, and fund <i>daaras</i> and to eliminate forced begging. (49) During the reporting period, the government closed down numerous unsafe or unsanitary <i>daaras</i> . (9)
Ginddi Center†	Serves abused and vulnerable children, including runaway <i>talibés</i> , street children, and child trafficking victims. (15,26,47,49) Provides food, education, vocational training, family mediation, medical care, and psychological care in its shelter. (47,60) Supports a toll-free 24/7 hotline which receives reports of child trafficking cases from anonymous sources. During the reporting period, continued to support victims of child trafficking, including by housing them, and continued to operate its toll-free hotline. (3)
Centers to address child trafficking†	Provides monitoring, education, and rehabilitation and reintegration services for victims of child trafficking through MOJ-run transit houses in Dakar, Pikine, and Saint-Louis. (41) During the reporting period, the government continued to provide food and shelter through this program. (3)

† 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. (61-63)

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 involved in domestic work, agriculture, or mining. (9) The Ginddi Center's child protection hotline was operational during the reporting period, but research was unable to determine how many children it served. In 2020, the Ginddi Center was reportedly overcrowded. (1)

## 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 11).

**Table 11. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law governing hazardous work prohibitions for children is comprehensive.	2016 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Clarify the forced begging provisions in the Penal Code and the Law Concerning the Fight Against Trafficking in Persons to explicitly prohibit forced begging, including alms-seeking, under any circumstances.	2017 – 2020
	Ensure that the law's light work provisions are specific enough to prevent children's involvement in child labor.	2017 – 2020
	Raise the minimum age for work to the age up to that which education is compulsory.	2018 – 2020
	Raise the minimum age for light work to age 13.	2019 – 2020
Enforcement	Publish all relevant information on labor inspectorate funding and on the number of inspections conducted, including those conducted at worksites.	2013 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice, provide adequate labor inspectorate funding, and ensure that cases of child labor are formally reported.	2010 – 2020
	Ensure that labor inspections and enforcement are carried out in the informal sector.	2014 – 2020
	Ensure that all violations are assessed a penalty, particularly in the most serious cases.	2019 – 2020
	Establish a mechanism to receive child labor complaints, and track cases of child labor for referral to law enforcement or social service providers.	2014 – 2020
	Track and publish Ginddi Center hotline call data to determine number of children served during the reporting period.	2019 – 2020
	Ensure that the gendarmerie and police are trained to identify and report child labor violations.	2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that training for criminal investigators adequately addresses issues related to the worst forms of child labor in Senegal.	2019 – 2020
	Publish criminal law enforcement data on the number of investigations, violations found, and imposed penalties on the worst forms of child labor.	2020
	Ensure that courts have sufficient resources and coordination to be able to successfully prosecute cases.	2019 – 2020
Coordination	Ensure that coordinating mechanisms on child labor are active and able to carry out their intended mandates by providing them with adequate resources, support, and mutually exclusive scopes of responsibility.	2010 – 2020
Government Policies	Ensure that policies are fully funded and implemented, and report on their activities.	2020
	Adopt a national policy to address child labor.	2016 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to better inform policies and programs.	2019 – 2020
	Ensure that all children have access to education by eliminating school-related fees, building schools in rural areas, training additional teachers, providing all children with access to birth registration, and protecting children in schools from sexual abuse.	2011 – 2020
	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 – 2020

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In 2020, Serbia made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government increased the budget of the Labor Inspectorate and implemented online trainings for labor inspectors. Additionally, the government adopted a Strategy for Prevention and Protection of Children from Violence (2020–2023) and created a Ministry of Family Welfare and Demography, which will allow children's issues to be addressed by a single ministry rather than being split among multiple government ministries. However, children in Serbia remain subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in street work. Serbia's laws do not treat forced child beggars as victims of child labor, and the country's social welfare centers are overburdened, which limits efforts to provide services to victims of child labor.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Serbia are subjected to the worst forms of child labor, including in forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in street work. (4,5) Table 1 provides key indicators on children's work and education in Serbia. 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	18.8 (Unavailable)
Attending School (%)	5 to 14	97.6
Combining Work and School (%)	7 to 14	20.6
Primary Completion Rate (%)		98.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2020. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 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 unknown (5)
	Forestry, activities unknown (8)
	Fishing, activities unknown (8)
Industry	Manufacturing, activities unknown (9)
	Construction, activities unknown (10)
Services	Street work, including washing cars, collecting scrap material, vending, and begging (1,5,9,11,12)
	Wholesale and retail trade (8-11)
	Working in food service, information and communication, and transportation and storage (5,9,10)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,9,10,13)
	Forced begging, sometimes as a result of human trafficking (4,5,9,10,13,14)
	Use in the production of pornography, sometimes as a result of human trafficking (5,10,12)
	Domestic work, sometimes as a result of human trafficking (15,16)
	Use in illicit activities, including in petty crime (4,9,12-14,17)

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

# Serbia

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Children from Serbia, particularly those from Roma communities, are victims of domestic human trafficking to engage in the worst forms of child labor, including commercial sexual exploitation. (4,9,13,14) Girls, Roma children, and children from low-income families in rural communities are most vulnerable to child labor, including trafficking in persons. (1,18)

Undocumented migrants are at a significantly higher risk of human trafficking for the purposes of labor or sexual exploitation. (4) In 2020, UNHCR encountered 25,506 migrants and asylum seekers arriving in Serbia, 1,747 of whom were unaccompanied minors or children traveling with an adult who is not their parent. (19,20) Asylum seekers and grantees are allowed to access free primary and secondary education in Serbia. (1,21) In addition, Serbia has social programs to assist migrant children with access to education. (21-24)







Some Roma, Ashkali, and Balkan Egyptian children in Serbia experience challenges in obtaining birth registration, which may make school enrollment difficult and increases their vulnerability to engage in child labor. (9,25-30) 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. However, economic hardship, ethnic discrimination, language barriers, disabilities, and placement in non-mainstream schools sometimes discourage Roma children, especially girls, from attending school. (16,25,27-29,31,32) 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. (9,26)

Constitutional and legal protections prohibit discrimination against individuals with disabilities in the education system. (25,33,34) However, some individuals with disabilities, especially Roma children, face difficulties in accessing education due to a lack of clear, specified legal regulations and some lingering social prejudices. (25,29,30,35,36)

## 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 (33,37)
Minimum Age for Hazardous Work	Yes	18	Article 25 of the Labor Law; Article 66 of the Constitution (33,37)
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 (37,38)



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 390 of the Criminal Code; Article 26 of the Constitution (33,39)
Prohibition of Child Trafficking	Yes		Article 388 of the Criminal Code; Article 26 of the Constitution (33,39)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 112 and 183–185 of the Criminal Code (39)
Prohibition of Using Children in Illicit Activities	No		Article 388 of the Criminal Code (39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 39 of the Law on the Army (40)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 4 of the Law on Military, Labor, and Material Obligation (41)
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 (42)
Compulsory Education Age	Yes	15‡	Article 71 of the Constitution; Articles 94 and 98 of the Law on the Foundations of the Education System (33,43)
Free Public Education	Yes		Article 71 of the Constitution; Article 91 of the Law on the Foundations of the Education System (33,43)

\* No conscription (41)

‡ Age calculated based on available information (33,42)

Serbia's law does not treat child beggars as victims, but rather as perpetrators and offenders. (5,44) In addition, Serbian law does not criminally prohibit use of a child in illicit activities except when it results from human trafficking. (39) Serbia's law does not sufficiently prohibit commercial sexual exploitation, as the use of children in prostitution is not explicitly prohibited. Additionally, the Serbian Criminal Code's provisions concerning pimping, procuring and mediation in prostitution only refer to "minors," defined as "a person over fourteen years of age but who has not attained eighteen years of age." (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 enforcement agencies 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, Veteran, and Social Affairs (MOLEVSA)	Through the Labor Inspectorate, inspects businesses, including unregistered businesses. Per mandate established by the Special Protocol of Labor Inspection for Protecting Children Against Child Labor, receives and investigates child labor complaints and informs Centers for Social Work of child labor violations. (5,9) Has internal sub-units that focus on the protection of children with disabilities and children working on the street. (5) Through the Center for Human Trafficking Victims' Protection (CPTV), MOLEVSA identifies victims of child trafficking and those at risk, conducts needs assessments, contributes to trafficking research projects, and refers victims to social services. (17) CPTV is divided into two parts: the Agency for Coordination of Protection of Trafficking Victims and the new Urgent Reception Center, which temporarily closed in September 2020. (13,15,25) In addition, CPTV works with state institutions, international organizations, and NGOs on human trafficking prevention and protection efforts and activities. (25) In 2020, CPTV identified 42 victims of human trafficking, including 21 minors. (5)
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. (14,17) Informs the Centers for Social Work of any child labor violations found. (5,15)

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

Organization/Agency	Role
Republic Public Prosecutor's Office	Leads investigations on human trafficking cases and exchanges information through a network of 27 local prosecutors and NGOs. Provides financial support to CPTV. (5)
Parliamentary Committee on Children	Reviews draft legislation and monitors the implementation of laws pertinent to children's rights. (5)
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. (5)

Social Welfare Centers (SWCs) provide social services, track the number of street children, and receive labor violations from the Ministry of Labor, Employment, Veteran, and Social Affairs (MOLEVSA) and the Ministry of the Interior. According to MOLEVSA, the SWCs are significantly overburdened. (5,9)

### Labor Law Enforcement

In 2020, 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	2019	2020
Labor Inspectorate Funding	\$3,453,170 (5)	\$3,910,898 (16)
Number of Labor Inspectors	236 (45)	217 (16)
Inspectorate Authorized to Assess Penalties	Yes (5)	Yes (37)
Initial Training for New Labor Inspectors	N/A (5)	Yes (20)
Training on New Laws Related to Child Labor	Yes (5)	No (16)
Refresher Courses Provided	Yes (5)	Yes (16)
Number of Labor Inspections Conducted	77,806 (45)	62,475 (16)
Number Conducted at Worksite	77,806 (45)	62,427 (20)
Number of Child Labor Violations Found	33 (45)	20 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	20 (5)	10 (16)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (5)	Unknown
Routine Inspections Conducted	Yes (5)	Yes (16)
Routine Inspections Targeted	Yes (5)	Yes (20)
Unannounced Inspections Permitted	Yes (5)	Yes (37)
Unannounced Inspections Conducted	Yes (5)	Yes (16)
Complaint Mechanism Exists	Yes (5)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (5)	Yes (16)

Labor inspectors are responsible for inspecting registered and unregistered businesses, including businesses in the agricultural sector. (9) The Labor Inspectorate uses 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 agriculture and construction. (9,46) In addition, the Special Protocol of Labor Inspection for Protecting 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 SWCs in cases of child labor. (9,10,47)

In 2020, the Labor Inspectorate identified 20 child labor violations, 1 of which involved an individual under age 15. (16)

The Labor Inspectorate has designated experts on child labor at each of its branches to provide training to other inspectors. (16) However, new labor inspectors do not receive formal training but are trained instead on-the-job by working alongside seasoned inspectors. According to the ILO, this informal training may be inadequate without also including formal training. (5)

During the reporting period, the government implemented the 2020 budget which included authorization to hire 40 new inspectors. (16)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown	No (16)
Training on New Laws Related to the Worst Forms of Child Labor	No (5)	No (16)
Refresher Courses Provided	No (5)	No (16)
Number of Investigations	30 (45)	27 (20)
Number of Violations Found	26 (45)	22 (20)
Number of Prosecutions Initiated	15 (45)	33 (20)
Number of Convictions	5 (45)	22 (20)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (45)	Yes (20)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (5)	Yes (16)

Training on identifying human trafficking is provided as a part of the general police curriculum given to law enforcement officials who process immigration cases. (48) Continuous training on identifying human trafficking is also provided to 1 public prosecutor in each of the 25 Higher Public Prosecutor's Offices. However, sources indicated that some agencies responsible for investigation of trafficking in persons cases lack funding. (5)

The SWCs, the primary provider of social services to human trafficking victims, assist with child trafficking cases. (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
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. (16) The Council was active and held meetings in 2020 to develop action plans and strategies related to children's rights. (20)
National Council for Combating Trafficking in Human Beings	Sets government policies on trafficking in persons, chaired by MOI. Drafts updated annual standard operating procedures for CPTV. (5) The National Coordinator for Combating Trafficking in Persons acts as the Secretary of the Council and manages the work of the implementation team. (17) During the reporting period, the Special Working Group for the implementation of the Strategy for Prevention and Suppression of Human Trafficking held four meetings and prepared one semi-annual report. (16,49)
Refugee Protection Working Group	Serves as the main mechanism for coordinating non-food related services to refugees, including children, and shares information on protection of refugees. Co-chaired by UNHCR and the Commissariat for Refugees and Migration with the participation of NGOs, local governments, and international organizations. (24) The group met on a monthly basis during the reporting period. (16)

The position of National Coordinator for Combating Trafficking in Persons continues to experience constraints on time and financial resources. (20,25)

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### 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. Focuses on the prevention and elimination of child abuse, support for children working on the streets and vulnerable families, the creation of a system within Social Welfare Centers to monitor and record risks of child labor, and continuous development for professional workers. (50) Research was unable to determine whether activities to implement the policy were undertaken during the reporting period.
Action Plan for Protection of Children from Violence (2018–2022)	Provides improved prevention, protection, and support for children against violence. (51,52) 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. (51) Research was unable to determine whether activities were undertaken to implement the policy during the reporting period.
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. (10,53) Research was unable to determine whether activities to implement the strategy were undertaken during the reporting period.
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 Social Welfare Centers, the Belgrade City Secretariat for Education, the Belgrade City Secretariat for Health, and civil society organizations. (54) Defines street children, worst forms of child labor, child work, and child trafficking. (16,54) Stipulates lead institutions, rules, and procedures for interacting with street children. The first round of training on the Protocol was funded by Save the Children. (16) Research was unable to determine whether activities to implement the protocol were undertaken during the reporting period.
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. (55) Research was unable to determine whether activities to implement the strategy were undertaken during the reporting period.

The Ministry of Interior and Ministry of Education worked with local police forces to educate fourth, fifth, and sixth grade children about safety and security issues, including child labor. This educational effort was turned into an online video for more widespread use around the country. (16) Child labor elimination and prevention strategies do not appear to have been integrated into the National Strategy for Roma Inclusion (2016–2025). (11)

The Strategy for Prevention and Protection of Children from Violence 2020–2023 and the National Action Plan 2020–2021 were adopted in May 2020. The Council for the Rights of the Child developed the new Strategy in conjunction with UNICEF in an effort to continue improving the status of children's rights in Serbia. (16) In addition, the government adopted the National Strategy for the Realization of the Rights of Victims and Witnesses of Criminal Offenses 2020–2025, which will establish a new comprehensive system for the protection of victims and witnesses of criminal offenses in Serbia. (16)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10).

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Access to Education Programs†	The Inclusive Early Childhood Education and Care program is 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. (56) In 2020, the program remained active. (16)
Assistance to Roma Children in Education	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. (56) In 2020, the program was active, though limited by the ongoing COVID-19 pandemic. (16)

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

Program	Description
Belgrade Children's Shelter†	A social welfare institution funded by the City of Belgrade; opened in 2019. (5) Caters to vulnerable children ages 7 to 18. Provides accommodation services and daytime shelter services to meet the needs of young people and street children, who are subsequently referred to competent social work centers and judicial authorities. (5) During the reporting period, both the day shelter and overnight shelter were in use, though the total number of beneficiaries was significantly lower in 2020 compared to previous years due to the pandemic. (20)
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. (9,57) The Memorandum defines mutual rights in the identification of human trafficking, assistance and protection of victims, and statistical reporting. (13,57) In July 2020, the government adopted the National Strategy on the Rights of Victims and Witnesses of Crime in the Republic of Serbia 2019–2025 and its associated Action Plan for 2020–2022. The strategy aims to establish a new, comprehensive system of protection and promotion of the rights of victims and witnesses of crime in Serbia. (20)
Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor	The government collaborates with the ILO to implement the USDOL-funded MAP16 project in Serbia. Specific goals of the program include improving application of knowledge in support of efforts to eliminate child labor; strengthening the policy-making process; improving the capacity of the government, national authorities, employers' and workers' organizations, and other relevant entities to combat child labor; and strengthening partnerships to accelerate progress in combatting child labor. (16,58) In Serbia, the project aims to build the capacity of the government and other stakeholders to address child labor in part by providing support for the country's first National Child Labor Survey, which was developed and tested during 2020. (58) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (9,13,59)

The Government of Serbia has implemented programs on child labor and inclusive education. (60)

## 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 – 2020
	Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2019 – 2020
	Ensure that the use, procuring, and offering of children for prostitution are criminally prohibited.	2020
Enforcement	Ensure that staff members at the Social Welfare Centers have sufficient resources, such as personnel and funding, to address the specific needs of child trafficking victims.	2015 – 2020
	Train new labor inspectors on child labor.	2015 – 2020
	Ensure that criminal investigators and agencies combating trafficking in persons have the necessary funding to conduct thorough investigations.	2010 – 2020
Coordination	Ensure that the National Coordinator for Combating Trafficking in Persons has a level of financial support that facilitates efforts to eliminate child labor.	2015 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the National Strategy for Roma Inclusion.	2017 – 2020
	Publish information on key policies undertaken to combat child labor.	2020
Social Programs	Address barriers to education, including access to birth registration documentation; increase access to education for children with disabilities; and increase access and retention rates for minority populations, particularly migrant and Roma children.	2013 – 2020
	Conduct research to determine the activities carried out by children engaged in child labor, including those in farming.	2020



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In 2020, Sierra Leone made minimal advancement in efforts to eliminate the worst forms of child labor. The government launched a new National Action Plan Against Trafficking in Persons, Especially Women and Children, and carried out an awareness-raising campaign to promote education access for girls. However, children in Sierra Leone are subjected to the worst forms of child labor, including in mining and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in quarrying stone and fishing. The types of hazardous work prohibited for children do not cover all sectors in which child labor is known to occur, and the government does not have a sufficient number of labor inspectors to adequately enforce labor laws throughout the country. In addition, Sierra Leone lacks a national policy and social program to address all relevant worst forms of child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sierra Leone are subjected to the worst forms of child labor, including in mining and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in quarrying stone and fishing. (1) 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	35.1 (Unavailable)
Attending School (%)	5 to 14	78.2
Combining Work and School (%)	7 to 14	32.2
Primary Completion Rate (%)		83.2

Source for primary completion rate: Data from 2019 published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization's analysis of statistics from the Multiple Indicator Cluster Survey 6 (MICS 6), 2017. (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	Cultivation of cassava, including processing into garri flour, oil (palm), cocoa, coffee, peanuts, and rice (4,6)
	Fishing,† including artisanal fishing (1,6,7)
Industry	Mining† for diamonds, and gold (1,7,8)
	Quarrying† and crushing stone, including granite, and shoveling gravel (1,7,8)
	Construction, including housing construction, and serving as laborers for contractors (1,6,7)
	Manufacturing,† activities unknown (1,7,9,10)
	Production of charcoal (1,7,9)
Services	Scavenging scrap metals and recyclable materials from dumpsites (1,11-13)
	Domestic work (1,7,13)
	Street work, including begging, trading, and selling goods (1,7,13,14)
	Portering, including carrying heavy loads† (8)
	Working as apprentices, including in auto repair shops and on transportation vehicles, including mini buses and motorbike taxis (6,14)
Categorical Worst Forms of Child Labor‡	Forced begging, sometimes as a result of human trafficking (1,7,15)
	Forced domestic work, sometimes as a result of human trafficking (1,7,15)
	Commercial sexual exploitation, including prostitution, sometimes as a result of human trafficking (1,7,15)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor‡	Forced labor in street hawking, domestic work, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving, quarrying granite, and mining for alluvial diamonds, each sometimes as a result of human trafficking (1,7,8)
	Cultivation of marijuana (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.

Sierra Leone is a source, transit, and destination country for children trafficked for forced labor and commercial sexual exploitation. (16-19) Sierra Leone has a form of internal child trafficking called “*men pikin*,” meaning foster care in Krio, in which family members send children with promises of better educational opportunities to relatives in urban areas. However, some children are instead subjected to forced labor, including in street hawking, domestic work, mining, agriculture, scavenging for scrap metal, and motorbike taxi driving. (7,13) Some children sent to Koranic schools are also trafficked for labor exploitation. (13,19) Research indicates that a decreased number of commercial sexual exploitation cases were reported during the reporting period, likely due to COVID-19 pandemic restrictions. (6,7)

In 2019, the government published a report based on household-level survey data collected in 2018, which included a discussion of child labor in Sierra Leone. However, the data were not fully disaggregated to show the prevalence of child labor among children under age 10. (9) The government did not publish any data on child labor in 2020. (7)




Despite government initiatives to make education free through secondary school, substantial barriers remain, including a lack of schools and teachers, the costs of uniforms and supplies, limited transportation to schools, and sexual and gender-based violence by teachers and other students. (1,7,20,21) In particular, one report indicated that teachers demanded sex from students in exchange for higher grades. (7) Research also found that the government did not pay all teacher salaries, and that unqualified teachers were removed from schools in several rural communities without being replaced, resulting in some schools closing. All of these factors contributed to a high dropout rate, especially among girls. (7)

In March 2020, the government officially overturned its policy that prevented pregnant girls from attending school and taking secondary and post-secondary entrance exams. (1,22,23) In addition, the government launched an awareness-raising campaign to promote education access for all girls. (7)

## 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 adequately 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 (24,25)
Minimum Age for Hazardous Work	Yes	18	Section 128 of the Child Right Act; Sections 47–56 of Chapter 212, Employers and Employed Act (24,25)
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 (24-26)
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 (27,28)
Prohibition of Child Trafficking	Yes		Part II, Section 2, and Part IV, Sections 14–15 and 21 of the Anti-Human Trafficking Act; (24)
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 (27,29,30)
Prohibition of Using Children in Illicit Activities	Yes		Sections 7 and 13 of the National Drugs Control Act (31)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 28 of the Child Right Act (24)
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 (24,32)
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 (24,28,32)

\* No conscription (42)

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. (24) Although the Child Right Act identifies hazardous work prohibited for children, the types of hazardous work prohibited for children do not cover scavenging for recyclable materials at dumpsites, where children are exposed to toxic fumes and smoke from burning trash, as well as sharp objects and broken bottles. (12)

During 2020, drafting and consultations continued with two pieces of legislation, the Prevention of the Trafficking in Persons and Smuggling of Migrants Act and the Overseas Employment and Migrant Act of 2019. (7)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.



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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Security (MLSS)	Enforces labor laws in the formal sector. Through its Child Labor Unit, formulates, implements, and monitors compliance with child labor regulations. (1,16) MLSS District Labor Officers enforce labor laws in the formal sector. (1,16)
Ministry of Justice's Director of Public Prosecution	Undertakes criminal proceedings, including enforcement of criminal laws against forced child labor, child trafficking, commercial sexual exploitation, recruitment and use of child soldiers, and use of children in illicit activities. (1)
Ministry of Mines and Mineral Resources	Enforces regulations against the use of child labor in mining. Authorized to suspend licenses of mining operators found using child labor. (1,16)
Ministry of Internal Affairs' Police and Transnational and Organized Crime Unit	Leads the investigation and prosecution of sexual abuse, domestic violence, and child abuse through Police Family Support Units, which are mandated to minimize and eradicate the incidence of sexual abuse, domestic violence, and child abuse. (1) Through its Transnational Organized Crime Unit, enforces human trafficking laws and provides statistical data and general information on cases of human trafficking. (1)

### Labor Law Enforcement

In 2020, 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 (MLSS) that may hinder adequate labor law enforcement, including a limited number of inspectors and a lack of funding.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (1)	\$40,000 (7)
Number of Labor Inspectors	30 (1)	29 (7)
Inspectorate Authorized to Assess Penalties	Yes (1)	Yes (25)
Initial Training for New Labor Inspectors	Yes (1)	Yes (7)
Training on New Laws Related to Child Labor	N/A (1)	N/A (7)
Refresher Courses Provided	No (1)	Yes (7)
Number of Labor Inspections Conducted	450 (1)	Unknown (7)
Number Conducted at Worksite	450 (1)	Unknown (7)
Number of Child Labor Violations Found	0 (1)	0 (7)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (1)	N/A (7)
Number of Child Labor Penalties Imposed that Were Collected	N/A (1)	N/A (7)
Routine Inspections Conducted	Yes (1)	Yes (7)
Routine Inspections Targeted	Unknown (1)	Yes (7)
Unannounced Inspections Permitted	Unknown (25)	Unknown (25,34)
Unannounced Inspections Conducted	Unknown (1)	Unknown (7)
Complaint Mechanism Exists	No (1)	No (7)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (7)

The number of labor inspectors is likely insufficient for the size of Sierra Leone's workforce, which includes more than 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 75 inspectors. (35,36) In addition, there is a significant lack of resources for labor inspections because the MLSS has only one vehicle for inspections. (1,7)

Although the Ministry of Mines and Mineral Resources can conduct inspections on mining concessions and revoke licenses from employers who are found to be using child labor, research found that a limited number of inspectors and a lack of funding may have hindered enforcement efforts. (16,37,38) During the reporting period, the government conducted an awareness campaign throughout the country and inspected several factories, including a factory in the Eastern Region and the Tonkolili mining areas. (7)

During the reporting period, a majority of labor inspections were conducted in the formal sector and at factories and quarries only in the capital city area, leaving children working in the informal sector and rural areas without protection. (6) Although the total number of labor inspections is unknown, the MLSS reportedly found no child labor violations in 2020. (7) The practice of notifying employers in advance of inspections may have contributed to the lack of violations found. (39) In addition, research indicates that the law does not establish penalties severe enough to deter child labor violations. (40)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Sierra Leone 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 criminal law enforcement efforts.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Unknown (7)
Training on New Laws Related to the Worst Forms of Child Labor	No (1)	N/A (7)
Refresher Courses Provided	No (1)	Unknown (7)
Number of Investigations	0 (1)	Unknown (7)
Number of Violations Found	Unknown (1)	Unknown (7)
Number of Prosecutions Initiated	Unknown (1)	Unknown (7)
Number of Convictions	Unknown (1)	Unknown (7)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (7)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (7)

The Police Family Support Units reported 15 total child trafficking cases, including 13 that resulted in forced labor. (6) Research found 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. (1, 19) During the reporting period, the government did not provide information on whether training was provided to new investigators or whether refresher courses were provided. It also did not provide the number of investigations conducted, violations found, prosecutions initiated, or convictions. (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 may 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 Technical Steering Committee on Child Labor	Coordinates efforts to address child labor. (1) Led by MLSS and the Ministry of Gender and Children's Affairs (MGCA) and includes representatives from 10 other government agencies, international organizations, and NGOs. As part of the National Technical Steering Committee on Child Labor, the National Commission for Children advises the government on ways to improve child welfare. (1) Research was unable to determine whether the National Technical Steering Committee on Child Labor was active during the reporting period.
National Trafficking in Persons Task Force	Coordinates issues related to child trafficking, and supports agencies that provide shelter and services for human trafficking victims, gathers data on reported human trafficking cases, and meets regularly to develop policies related to child trafficking. (1, 7) The Ministries of Social Welfare and Justice lead the National Trafficking in Persons Task Force. (41) During the reporting period, the Task Force met regularly to coordinate on TIP issues, and launched the National Action Plan Against Trafficking in Persons, Especially Women and Children. (6, 7)

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

Coordinating Body	Role & Description
Child Welfare Committees	Promote awareness of children's rights and report child welfare concerns to officials responsible for children's issues. Provide recommendations in giving support to children in villages and address village inhabitants' complaints and concerns. (1,7,19,42,43) During the reporting period, the Child Welfare Committees were active, offering support to communities that reported child rights violations to the Family Support Unit of the Sierra Leone Police. (6)
Ministry of Gender and Children's Affairs (MGCA)	Serves as the lead agency to oversee child protection issues, including child labor, in criminal law enforcement efforts, and refers children found through investigations to social services and interim care centers. (1,6,33) MGCA is currently reviewing the 2007 Child Rights Act and the Street Child Strategy. During the reporting period, MGCA carried out several activities including consultation and sensitization on the review of the 2007 Child Rights Act and the Street Child Strategy, with the aim to reduce child trafficking in Sierra Leone. (6)

The Child Rights Act requires the establishment of a Child Welfare Committee in every village and chiefdom (the third level of administrative subdivision, below districts and provinces); however, research indicates that these committees have been established in only a few parts of the country due to budgetary constraints. (24,44)

## 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 covering all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan Against Trafficking in Persons, Especially Women and Children (2021–2023)†	Aims to coordinate cooperation between NGOs, international organizations, and government agencies in combating TIP, and calls for a review of Sierra Leone's Anti-Human Trafficking Act of 2005. (45,50) The plan also aligns with the Economic Community of West African States (ECOWAS) Plan of Action Against Trafficking in Persons. (19)

† 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. (1,20,46)

Although the Government of Sierra Leone has adopted the National Action Plan on Human Trafficking, research found no evidence of a policy on other worst forms of child labor, including child labor in mining and the commercial sexual exploitation of children.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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. (19,47) Research was unable to determine whether activities were undertaken to implement the Child Trafficking Shelters program during the reporting period.
Free Quality School Education (2018–2023)†	Program that covers the costs of school tuition and fees and provides meals, textbooks, and some teaching materials in remote communities. In 2020, 22 percent of the national budget was allocated to implement the Free Quality School Education program—an increase from 21 percent—which widened access to primary, secondary, vocational, and university education. (1,7)
USG-Funded Projects	The USDOS Program to End Modern Slavery funded a study to research the prevalence, methods, and impacts of child trafficking and labor in Kono, Kenema, and Kailahun. Research will continue on child trafficking and labor in the Northern Province of Sierra Leone, specifically Kambia District. (6) During the reporting period, a qualitative study was carried out that consisted of interviews with key informants and child trafficking victims, and focus group discussions in the three child trafficking hotspots of Kono, Kenema, and Kailahun. A separate qualitative study also consisted of 3,000 household surveys. (6)

† 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. (48,49)

Sierra Leone has too few and underfunded shelters and safe houses for children who have been withdrawn from working on the streets or in forced labor. (17) Although the Government of Sierra Leone has implemented programs to assist child trafficking survivors, research found no evidence that it has carried out programs specifically designed to assist children working on the streets, in agriculture, and in domestic work. (1)

## 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 I I).

**Table I I. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions specify the activities and conditions in which light work may be undertaken and limit the number of hours of light work.	2015 – 2020
	Ensure hazardous work occupations prohibited for children are comprehensive, including scavenging at dumpsites.	2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Establish a complaint and reciprocal referral mechanism for labor law enforcement efforts.	2015 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2011 – 2020
	Provide labor law and criminal law enforcement officials with sufficient resources to adequately enforce labor laws throughout the country.	2012 – 2020
	Enforce laws prohibiting child labor in mining, particularly in the diamond mining sector.	2015 – 2020
	Publish information on the number of labor inspections conducted, including at worksites.	2011 – 2020
	Ensure that penalties for child labor violations are adequate to deter violations.	2020
	Ensure that unannounced inspections are permitted and conducted.	2020
	Improve coordination between criminal law enforcement agencies and provide sufficient training to enforcement personnel and the judiciary to ensure that violations are adequately investigated and prosecuted.	2014 – 2020
Coordination	Publish information on criminal law enforcement efforts, including training for criminal investigators, the number of investigations undertaken, criminal violations found, prosecutions initiated, convictions obtained, and penalties imposed for the worst forms of child labor.	2015 – 2020
	Ensure that village-level and chiefdom-level Child Welfare Committees are established and operational in all areas.	2014 – 2020
Government Policies	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
	Adopt policies to address child labor in relevant sectors, such as mining, quarrying, and commercial sexual exploitation.	2019 – 2020
Social Programs	Publish activities undertaken to implement social programs during the reporting period.	2020
	Ensure that data for household surveys are fully disaggregated and published so the prevalence of child labor at all ages, including below age 10, in Sierra Leone is known.	2019 – 2020
	Institute programs in the education sector to address issues of lack transportation, to increase the number of schools and teachers, reduce school-related costs, and to eliminate abuse, including sexual and gender-based violence, by teachers and other students.	2013 – 2020
	Increase the availability of and funding for shelters and safe houses for victims of forced labor and for children removed from street work.	2009 – 2020
	Institute programs to address child labor in the sectors of agriculture, domestic work, and street vending.	2019 – 2020

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In 2020, the Solomon Islands made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government created a revised version of its National Action Plan against Human Trafficking and People Smuggling and partnered with private companies to create and implement human trafficking awareness-raising campaigns targeting 12 communities in the Choiseul Province. However, children in the Solomon Islands are subjected to 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 harvesting of palm oil fruits. The minimum age for work does not meet international standards, and the Solomon Islands has not established a minimum age for hazardous work or delineated the types of work considered hazardous for children. The government also did not publish labor and criminal law enforcement data for the reporting year. 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 are subjected to 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 the harvesting of palm oil fruits. (2) 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 (%)		85.7

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)  
Data were unavailable from International Labor Organization's analysis, 2021. (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 plantations, including harvesting palm oil fruits (1,2)
	Harvesting seafood, including diving in deep water (1-3)
Industry	Alluvial mining† (1-3)
	Furniture construction (1,2)
	Construction on roads and buildings, including making bricks (1,2)
Services	Domestic work, including working as cooks (1-3)
	Scavenging for cans and metal in garbage dumpsites, streets, and streams (1-3)
	Working in nightclubs, casinos, and motels (1-3)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1-4,7-9)
	Use in illicit activities, including in the cultivation and trafficking of drugs (1-3)
	Forced domestic work and forced work as cooks (1-3)
	Forced pickpocketing, sometimes as a result of human trafficking (2,3,9)

† 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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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. (1-4,10) 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 sea cucumbers. (1,2) The government provides a nominal amount of funding towards its Fee Free Basic Education Policy for free education. (11) Additional school fees, teacher absenteeism, and transportation limitations make it challenging for some children to access education. (1,2) There are no nationally representative data available on the prevalence and nature of child labor in the Solomon Islands.

## 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 (12)
Minimum Age for Hazardous Work	No		Articles 47-49 of the Labor Act (12)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		Articles 47–49 of the Labor Act (12)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 251 and 256 of the Penal Code; Part 7 of the Immigration Act (13-15)
Prohibition of Child Trafficking	No		Part 7 of the Immigration Act; Article 145 of the Penal Code (14,15)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 141 and 143–144 of the Penal Code (15)
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 (16)

The minimum age for work is not in compliance with international standards because the Labor Act permits children as young as age 12 to work. (12) While the Labor Code prohibits all children under age 18 from working at night and regulates work in mines and on ships, it 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 or in agricultural activities for which there is evidence of children being exposed to injuries, extreme temperatures, or chemicals. (4,12,17,18) 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. (9,15) The law also does not criminally prohibit the use of children in illicit activities. (2) In addition, education is not compulsory, which increases children's vulnerability to child labor exploitation. (19) Although there are no laws that provide free basic education, there is a policy that provides for some free basic education. This policy does not cover all costs, and still allows schools to request some fees. (20,21)

### 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 enforcement agencies 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. (1,2) Through the Immigration Division, leads efforts to combat human trafficking, including the trafficking of children. (9,22) In 2020, initiated a process to reform its human trafficking awareness programs by integrating them with the community policing program, which was ongoing during the reporting period. In partnership with private companies, created and implemented human trafficking awareness-raising campaigns targeting 12 communities in the Choiseul Province, focusing on victim identification, prevention, and support for community stakeholders and civil society. (3)
Royal Solomon Islands Police	Enforce criminal laws against the worst forms of child labor. (1) Lead investigations of internal human trafficking cases and currently chair the Anti-Human Trafficking Advisory Committee (AHTAC). (9,23)
Business Monitoring Joint Agency Committee	Monitors and investigates cases of transnational human trafficking, specifically in the logging industry. Comprises representatives from the Immigration Division, the Royal Solomon Islands Police, Customs, and the Forestry Division. (22,24)

While the Government of the Solomon Islands has agencies to enforce child labor laws, research found that the agencies' commitment, coordination, and priorities vary widely depending on their mandates, structural capacity, and budget allocations. (1,2)

#### **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	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	Unknown (1)	Unknown (2)
Inspectorate Authorized to Assess Penalties	No (12)	No (12)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (2)
Training on New Laws Related to Child Labor	Unknown (1)	N/A (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (2)
Number Conducted at Worksite	Unknown (1)	Unknown (2)

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

Overview of Labor Law Enforcement	2019	2020
Number of Child Labor Violations Found	Unknown (1)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (2)
Routine Inspections Conducted	Unknown (1)	Unknown (2)
Routine Inspections Targeted	Unknown (1)	Unknown (2)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Unknown (1)	Yes (2)
Complaint Mechanism Exists	Unknown (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (1)	Unknown (2)

The Government of the Solomon Islands did not respond to requests for information related to its labor law enforcement efforts for inclusion in this report. Insufficient resources continued to hamper the labor inspectorate's capacity to enforce child labor laws, including a lack of budget transparency and enforcement efforts. (2, 19) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, the Solomon Islands would need to employ roughly 5 labor inspectors as its workforce consists of over 202,500 workers.

### **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	2019	2020
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	N/A (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Investigations	Unknown (1)	Unknown (2)
Number of Violations Found	Unknown (1)	Unknown (2)
Number of Prosecutions Initiated	Unknown (1)	Unknown (2)
Number of Convictions	Unknown (1)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (1)	Unknown (2)

The Government of the Solomon Islands did not respond to requests for information related to its criminal law enforcement efforts for inclusion in this report. (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 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. (22,25) Comprised of the Ministries of Commerce, Industries, Labor, and Immigration (MCILI); Finance; Health and Medical Services; Police, National Security, and Correctional Services; Women, Youths, and Cultural Affairs; the Office of the Public Solicitors and representatives from law enforcement agencies, NGOs, and UN agencies. MCILI acts as secretariat. (25) During the reporting period, the committee met on a quarterly basis to discuss human trafficking issues in general, including reports of potential cases, and to coordinate on trafficking-related policies. (3,9)

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

Coordinating Body	Role & Description
National Advisory and Action Committee on Children (NAACC)	Coordinates government and NGOs to address child trafficking and commercial sexual exploitation of children. (26) Consists of several ministries, including the Ministry of Women, Youth, Children and Family Affairs; MCIL; and the Ministry of Home Affairs. Several NGOs participate, including Save the Children, UNICEF, and WHO. (18) Research was unable to determine whether the NAACC was active during the reporting period.

The Government of the Solomon Islands did not respond to requests for information on its coordination efforts to eliminate child labor. (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 covering all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan Against Human Trafficking and People Smuggling (2020–2025)†	Establishes a coordinated effort to eliminate human trafficking and people smuggling on the Solomon Islands. Led by AHTAC. (3,25) In 2020, the new Action Plan was revised to contain provisions aimed at preparing the government to accede to and ratify the UN Convention against Transnational Organized Crime and its supplementary protocols. (3,9) Though the committee endorsed the Action Plan in March 2020, the government did not report implementing the Action Plan. (21)
Fee Free Basic Education Policy	Subsidizes school fees for grades one through nine to increase access to education. (17,18,20,28) 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	Establishes a timeline within the National Development Strategy 2016–2035 to provide free primary and secondary education to boys and girls by 2020. (29) 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 multi-national 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. (30) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy during the reporting period.

† Policy was approved during the reporting year.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (30)

The Government of the Solomon Islands did not respond to requests for information regarding its policies to eliminate child labor. (1) Child labor prevention and elimination strategies do not appear to be integrated into the Fee Free Basic Education Policy. (28) 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.

## 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 – 2020
	Ratify the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2014 – 2020
	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2020



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**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Raise the minimum age for employment to comply with international standards.	2009 – 2020
	Establish age 18 as the minimum age for hazardous work.	2009 – 2020
	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 – 2020
	Establish by law an age up to which education is compulsory that extends to the minimum age for employment.	2009 – 2020
	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 – 2020
	Ensure that the law criminally prohibits using, procuring, and offering a child for pornographic performances.	2016 – 2020
	Ensure that the law criminally prohibits using, procuring, and offering a child for illicit activities, including in the production and trafficking of drugs.	2011 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Enforcement	Establish by law free basic public education.	2018 – 2020
	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number and type of labor inspections conducted, violations found, information about the training system for labor inspectors, and penalties imposed and collected.	2009 – 2020
	Strengthen the labor inspectorate by ensuring the ability to assess penalties.	2019 – 2020
	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.	2009 – 2020
	Allocate sufficient resources to enforce child labor laws, including increasing budget transparency.	2014 – 2020
	Ensure agencies address issues with commitment, coordination, priorities, structural capacity, and budget allocations to enable them to enforce child labor laws.	2020
Coordination	Ensure the number of labor inspectors in the Solomon Islands meets the ILO's technical guidance.	2020
	Publish information on coordination mechanisms and efforts undertaken to address child labor.	2020
Government Policies	Adopt a policy via the National Action Plan on Human Trafficking and People Smuggling that addresses all worst forms of child labor, including using children in commercial sexual exploitation.	2016 – 2020
	Integrate child labor elimination and prevention strategies into the Fee Free Basic Education Policy.	2014 – 2020
	Publish activities undertaken to implement the National Action Plan on Human Trafficking and People Smuggling.	2018 – 2020
	Publish activities undertaken to implement the Fee Free Basic Education Policy.	2018 – 2020
	Publish activities undertaken to implement the National Education Action Plan.	2018 – 2020
	Publish activities undertaken to implement the United Nations Pacific Strategy.	2019 – 2020
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 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2020
	Eliminate barriers to basic education, including by improving access to school transportation and eliminating school-related fees.	2014 – 2020

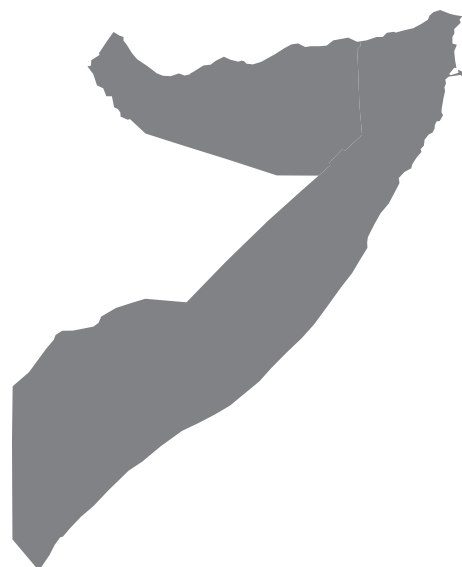
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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Somalia made minimal advancement in efforts to eliminate the worst forms of child labor. The Ministry of Labor and Social Affairs established a Labor Inspectorate and hired and trained 35 labor inspectors. The government also created an Office for the Senior Advisor on Child Labor to lead the drafting and implementation of a National Action Plan to address the worst forms of child labor. Following nationwide school closures to contain the COVID-19 pandemic, the Ministry of Education worked with UNICEF to educate 141,816 children via Internet, television, and radio platforms. However, despite new initiatives to address child labor, Somalia is receiving an assessment of minimal advancement because it continued a practice that delayed advancement in eliminating the worst forms of child labor. During the reporting period, there is evidence that federal and state security forces, as well as clan militias and al-Shabaab, continued to recruit and use children in armed conflict, in violation of national law. Children in Somalia are subjected to the worst forms of child labor, including in armed conflict. Children also perform dangerous tasks in street work. Somali 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 are subjected to the worst forms of child labor, including in armed conflict. (1) Children also perform dangerous tasks in street work. (1,2) Table 1 provides key indicators on children's work and education in Somalia. Data on some of these indicators are not available from the sources used in this report. (3) However, in 2019 the ILO funded Somalia's first labor force survey, which included sectoral information on child labor and IDPs. The results of the survey, which was completed in 2020, will be published in 2021 pending final validation by the ILO. (3,4)

**Table 1. Statistics on Children's Work and Education**

Children	Related Entity	Age	Percent
Working (%)	Somalia (North East zone)	5 to 14	9.5
	Somalia (Somaliland)	5 to 14	13.2
Attending School (%)	Somalia (North East zone)	5 to 14	38.3
	Somalia (Somaliland)	5 to 14	44.2
Combining Work and School (%)	Somalia (North East zone)	7 to 14	4.7
	Somalia (Somaliland)	7 to 14	6.6
Primary Completion Rate (%)	All (Somalia)		Unavailable

Primary completion rate was unavailable from UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis from Multiple Indicator Cluster Survey 4 (MICS 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 arranging harvested seeds and light cleaning (3,7-9)
	Herding livestock, including goats, sheep, and camels (3,7)
	Fishing, including cleaning fish (3)
Industry	Construction, including crushing stones, mining, and excavating (1,3,9,10)
	Producing garments and textiles (11)

# Somalia

## 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
Services	Working as maids or domestic staff in hotels and private residences (7,8)
	Domestic work (2,7,12)
	Street work, including shining shoes, washing cars, driving minibuses, vending, and transporting and selling <i>khat</i> (a legal, amphetamine-like stimulant) (1,2,7-9,11,12)
	Voluntarily recruited children used in hostilities by state armed groups (1,7,10)
Categorical Worst Forms of Child Labor‡	Recruitment of children by state and non-state armed groups for use in armed conflict and supporting roles, including as cooks, porters, and informants, or to operate checkpoints (1,10,13)
	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 (7,10,11)
	Commercial sexual exploitation, sometimes as a result of human trafficking (10)

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

As Somalia passes its third decade of internal armed conflict, the country's IDP population stands at 2.6 million, with unofficial estimates approaching 3.6 million. (7,14) IDPs, including children, remain acutely vulnerable to sex trafficking and forced labor. The closure of international borders to contain the COVID-19 pandemic led to an uptick in irregular migration and human trafficking through unofficial border crossings. (7,15,16) These developments compounded risks to vulnerable populations, including children. (10,13,15) Many were transited through Nairobi’s Eastleigh neighborhood, a known trafficking hub. Research also found traffickers exploit children from Somalia in forced begging in Saudi Arabia and Djibouti. (10) In Puntland, hundreds of children allegedly were exploited in forced labor or sex trafficking. (17)

In 2020, Somalia recorded one of the world's highest number of child abductions by non-state actors. (18,19) State and non-state armed groups recruited 1,716 children during the reporting period. (18,19) Non-state armed group al-Shabaab, which forcibly recruited children as young as age 8 into its ranks, committed a majority of these violations, recruiting 1,407 children in 2020. (19) Al-Shabaab fighters infiltrate *madrassas*, or Koranic schools, and mosques using deception or coercion tactics to forcibly recruit victims, including children, into sexual slavery and combat and support roles. (10) The group continued the practice of forcing communities to produce male children to serve as child soldiers. (10,18-21) Al-Shabaab imposed a financial penalty on families who refused to cooperate. (7,22) 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. (7,10,22) In addition, Somalia’s numerous clan militias reportedly recruited children for use in armed conflict. (10,19) Children from minority clan households are uniquely vulnerable to forced recruitment by military groups, including at school. (23)

The reporting period saw continued allegations of grave violations against children linked to federal and state government security forces, including recruitment and use, killing and maiming, and sexual violence. (18,24,25,26) Perpetrators included federal armed forces and security services, as well as regional forces and police in Galmudug, Jubaland, and Puntland. (26) In 2020, the UN verified the recruitment and use of children by the Somali Police Force (SPF, 101 children recruited), the Somali National Army (SNA, 62) and the National Intelligence and Security Agency (5); Jubaland forces (36), Galmudug forces (31), Puntland forces (21), Jubaland police (3), Puntland police (2) and Galmudug police (1); and clan militia (47). (19) Child recruitment is in violation of Somalia's General Order No. 1, which prohibits military personnel from recruiting and employing child soldiers. (10,27)

Prior to the onset of the pandemic, international partners estimated that Somalia's out-of-school population was 3 million, or approximately 60 percent of the school-age population, among the highest rates in the world. (28,29) Access to education further deteriorated amidst recurrent climate shocks, protracted violence, and pandemic-related lockdowns. Somalia did not assess nationwide attendance rates in 2020; however, a UNICEF-funded rapid assessment in Puntland indicates that 7.4 percent of children did not re-enroll once schools reopened. (30) State and non-state forces occupied and damaged schools during the reporting period,

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

further limiting access to educational facilities. (18,31,20,32) The limited number of public schools outside of Mogadishu and high fees charged by private schools also undercut enrollment rates. (7,23) Girls face additional obstacles, including lower prioritization of girls' education and a dearth of qualified female teachers, which negatively affect girls' attendance and learning. (1,33) Pastoralist communities, which account for approximately 25 percent of Somalia's population, face additional impediments to education, as their nomadic existence makes static schools impractical. The primary enrollment rate for nomadic or pastoralist children was 3.1 percent. (1,7) Children and youth among these groups are considered at high risk of exploitation or recruitment into armed groups like al-Shabaab. (7,23) For many IDP children, meanwhile, schools do not exist nearby, and even where donors build temporary learning spaces, IDP children typically experience disrupted education due to constant movement and unpredictable evictions from their camp homes. (1)




The Federal Government of Somalia (FGS) has not conducted a standalone survey of child work, child labor, or the worst forms of child labor. Somalia also lacks a countrywide birth registration system, further complicating efforts to identify victims of child labor. (7)

The FGS maintains limited territorial control outside populated areas and some forward operating bases. Al-Shabaab occupied rural areas in south-central Somalia. (7) In other parts of the country, essential governance functions were provided by state administrations, including the self-declared independent region of Somaliland in the northwest. (7,10)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Somalia 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 Somalia's legal framework to adequately protect children from the worst forms of child labor, including the lack of a law prohibiting the recruitment of children under age 18.

**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 (34,35)
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 (34-36)
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 (34,35)
Prohibition of Forced Labor	Yes		Articles 455 and 464 of the Penal Code (37)
Prohibition of Child Trafficking	No		



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 403–404 and 407–408 of the Penal Code (37)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	General Order No. 1 (27)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		General Order No. 1 (27)
Prohibition of Military Recruitment by Non-state Armed Groups	No		Article 29 of the Provisional Constitution (36)
Compulsory Education Age	No	14‡	Articles 13 and 15 of the General Education Law (38)
Free Public Education	Yes		Article 14 of the General Education Law (38)

‡ Age calculated based on available information (38)

A National Labor Code was finalized by the Ministry of Labor and Social Affairs (MOLSA). As of January 2021, the law was awaiting ratification in the upper house of Parliament. (1,4,7,39) The draft Labor Code prohibits forced or compulsory recruitment of children for use in armed conflict. (33) The Ministry of Women and Human Rights also drafted the Child Rights Bill, which will domesticate the Convention on the Rights of the Child into law during the reporting period. (4,20) The law will protect all children under age 18 from prosecution as an adult and will codify a compulsory education age. (4) It is awaiting cabinet-level approval. (1) Currently, however, 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 required to attend school but may not legally work. (12,38)

It is unclear whether laws enacted prior to the 1991 civil war 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. (4) Although the Provisional Constitution of 2012 does not provide a minimum age for employment, the 1972 Labor Code establishes age 15 as the minimum age for work. (34) Moreover, although the Labor Code establishes age 12 as the minimum age for light work and describes the conditions under which it 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. Furthermore, there is no comprehensive legislation that prohibits hazardous occupations and activities for children. (34) While the Labor Code enables the publication of a hazardous works list, the government has not determined by regulation the types of hazardous work prohibited for children. (7,34)

Laws prohibiting the commercial sexual exploitation of children are not sufficient, because the use, procuring, and offering of a child for prostitution, pornography, and pornographic performances are not criminally prohibited. (34) Furthermore, it appears that under Article 405 of the Criminal Code, children involved in prostitution are not protected from criminal charges. The Penal Code requires extensive updating, an effort that the international community has attempted to support without success. (34) Many fines in the Code equal less than \$1 (585 Aomali Shillings), which does not serve as an effective deterrent. (1,37,40)

The Federal Member States (FMS), which are semi-autonomous regions, maintain separate legal systems. (41) While the Provisional Constitution defines children as persons under the age of 18, the regional constitutions of South West State and Puntland set the age of majority at 15 years. (42,43) Nevertheless, the FGS asserts that the 1972 Labor Code, the Provisional Constitution, and newly enacted laws apply nationally. (1) Somaliland has criminalized human trafficking for the purposes of commercial sexual exploitation, and a draft trafficking in persons law is pending parliamentary approval. (1,13,44,45) Although Puntland State's 2017 penal and criminal

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

procedure codes reportedly meet international standards, research could not find a publicly available version of these laws. (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 enforcement agencies that may hinder adequate enforcement of child labor laws.

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Somali Police Force (SPF)	Investigates and enforces laws related to the worst forms of child labor. (46) The Counter-Trafficking and Organized Crime Unit has six officers. The SPF's Airport Police Task Force investigators are trained to recognize trafficked persons based on behavioral indicators and suspicious documents. (13,47) The SPF Criminal Investigation Division continued to operate a unit dedicated to investigating cases of human trafficking for prosecution in 2020. (13,47) However, the unit did not report any human trafficking cases during the reporting period. (13)
Ministry of Labor and Social Affairs (MOLSA)	Investigates and enforces laws related to the worst forms of child labor. MOLSA's regional office in Banaadir employs 35 labor inspectors. (1)
Ministry of Defense	Operates separately from civilian law enforcement bodies, and leads efforts to combat the use of child recruitment and abduction by al-Shabaab. (7) Through the Child Protection Unit (CPU), screens Somali National Army (SNA) units for child soldiers. (7,8) Raises awareness of child soldier issues, and implements standard operating procedures on protecting children associated with armed conflict. (1)
Puntland Security Forces	Investigate and enforce human trafficking laws. (46)
Puntland Ministry of Justice	Prosecutes human trafficking cases. (46)
Somaliland Police	Investigate human trafficking. (47)
Somaliland Attorney General's Office	Prosecutes human trafficking cases. (47)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Somalia took actions to combat child labor (Table 6). However, gaps exist within the operations of MOLSA 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	2019	2020
Labor Inspectorate Funding	N/A	\$0 (1)
Number of Labor Inspectors	N/A	35 (1)
Inspectorate Authorized to Assess Penalties	N/A	Yes (34)
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	N/A	Unknown (1)
Number of Labor Inspections Conducted	N/A	2 (1)
Number Conducted at Worksite	N/A	2 (1)
Number of Child Labor Violations Found	N/A	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	N/A	Unknown (1)
Routine Inspections Targeted	N/A	Unknown (1)
Unannounced Inspections Permitted	N/A	Yes (34)
Unannounced Inspections Conducted	N/A	Yes (1)
Complaint Mechanism Exists	N/A	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	N/A	No (1)

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MOLSA formally established a Labor Inspectorate in 2020. The ministry hired 35 inspectors for its Benadir regional office and provided them with 2 weeks of training. (1) However, the number of labor inspectors remains insufficient for the size of the Somali workforce, which includes 4.2 million workers. According to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Somalia would employ about 105 inspectors. (48,49) The government did not otherwise provide information on number of inspections conducted for inclusion in this report. (1)

MOLSA conducts inspections based on requests sent by other authorities such as the police, and inspectors are authorized to issue fines indirectly upon approval of a senior advisor in the ministry. However, the labor inspectorate does not have any dedicated funding. (1) MOLSA also established an Office for the Senior Advisor on Child Labor under its Department of Legal and Labor Relations during the reporting period. The senior advisor, who oversees a staff of six, is charged with drafting and implementing a National Action Plan (NAP) to address the worst forms of child labor in Somalia. (1,50,51)

### Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Somalia took actions to combat child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	3 (7,15)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	0 (7)	No (1)
Refresher Courses Provided	0 (7)	No (1)
Number of Investigations	0 (7)	Unknown (1)
Number of Violations Found	1,331 (7)	1,735 (1,52)
Number of Prosecutions Initiated	0 (7)	Unknown (1)
Number of Convictions	0 (7)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (7)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (7)	Yes (1,52)

In 2020, the FGS Attorney General's Office prosecuted a case of forced labor under the Penal Code. The case involved a 12-year-old boy being held as a personal servant. (1) The boy was returned to his parents, and the accused was released from custody. There were no details on whether any violation was found. (1) During the reporting period, the SPF Airport Police Task Force intercepted four female teenagers traveling to Kenya, where they had been promised employment. Authorities also arrested a male accompanying the girls on suspicion of trafficking, and repatriated the girls to their families. (13) In a separate instance, authorities intercepted a 10-year-old girl traveling to the United Arab Emirates who was a potential sex trafficking victim. Authorities rescued the child and arrested the parents. (1, 13) The SPF remained understaffed and undertrained, and lacked the capacity to investigate or enforce laws on the worst forms of child labor. (7) Generally, criminal enforcement authorities lack the capacity and resources to fully implement laws that are technically in force. Resources to assist victims of human trafficking were limited to government-operated Migrant Response Centers in Bosaso, Hargeisa, and Mogadishu. (7, 13) In addition, there were reports that in 2020, the Somali National Police recruited and used at least 99 children in police activities. (19)

A general command order barring the recruitment and use of children by the SNA remained in effect during the reporting period. Nevertheless, government security forces recruited and used children in 2020, highlighting gaps in enforcement and uneven command and control of some units. (53) The Child Protection Unit (CPU) does not refer cases relating to child soldiers to the civilian justice system, but it would theoretically prosecute violations in the military justice system. (7) In 2020, state security forces detained at least 212 children, at times in the company of adults, for their suspected association with non-state armed groups. (19,21,25,53) These children were sometimes interrogated without legal representation and coerced into signing or recording confessions. While 128 children were released, 83 remained in detention by the end of the reporting period. (19,21,36)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

Somalia's FMS command separate police and military forces. These forces are not under the FGS chain of command. (42,54) The federal and regional governments did not provide information on their criminal law enforcement efforts for inclusion in this report. However, research indicates that Galmudug, Jubaland, and Puntland forces recruited children during the reporting period. There is evidence that a brigade of the Jubaland Security Forces, commanded by Abdirashid Janan, forcibly recruited children. (15,19,55) Moreover, 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. (21,56)

Nevertheless, federal and state governments, including Southwest and Galmudug, made efforts to implement the 2012 action plans and 2019 roadmap on ending recruitment and use of children in armed conflict. Somalia's Ministry of Defense, for instance, collaborated with other security forces, including the Darwish and SPF, on child protection-related issues. (15,19) At the same time, the UN has noted an uptick in violations by the SPF and several FMS forces in 2020. There is no evidence that the FGS or member states prosecuted offenders during the reporting period. (15,19)

While research was unable to determine the number of criminal law enforcement investigations conducted during the reporting period, research suggests that 1,735 former child soldiers were demobilized and reintegrated during the reporting period. (1,13,52) However, the government has not established a referral mechanism for other victims of the worst forms of child labor, including forced labor and commercial sexual exploitation. (1,13,52)

### IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The FGS 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
CPU, Ministry of Defense	Raises awareness of child soldier issues and works with international partners and donors to implement standard operating procedures on protecting children associated with armed conflict. (1,13) Works in concert with the SPF, which is responsible for investigating and enforcing laws against forced child labor and trafficking, commercial sexual exploitation, and use of children in illicit activities. (1) In 2020, the FGS continued to rely on the CPU to screen SNA forces for underage recruits and raise awareness of child soldiers in Somalia more broadly. To this end, CPU screened 4,899 SNA personnel in Galmudug, South West State, Jubaland, and Mogadishu during the reporting period. (1,13) While it did not identify underage soldiers within its ranks, CPU did recover 11 child soldiers from al-Shabaab, some of whom were referred to social services. (1,13) CPU also conducted training and awareness campaigns to prevent the recruitment and use of child soldiers during the reporting period. To this end, the unit continued to disseminate information on preventing the recruitment and use of child soldiers to hundreds of militia, clan, and community leaders across Somalia. (1,13) CPU bolstered its relationships with FGS and with Federal Member States (FMS) through the expansion of a National Children Associated with Armed Conflict Working Group, which met throughout the reporting period. CPU also coordinated with the Ministry of Women and Human Rights, which facilitates referrals of demobilized child soldiers from CPU to various NGOs. (1,7,13)
Children Associated with Armed Conflict Working Group (CAACWG)	Implements the Child Soldier Action Plan and the Action Plan to End the Killing and Maiming of Children in Contravention of International Law. (7) Co-chaired by CPU and UNICEF; includes other Ministry of Defense officials, representatives of the Ministry of Women and other relevant ministries, and UN officials. (42,57) In 2020, the government expanded the scope of CAACWG by including officials from FMS; discussions covered the implementation of action plans on eliminating the use of children in armed conflict. (7,13)

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## 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
Human Trafficking Task Forces	The FGS, Puntland, and Somaliland maintain different coordinating bodies to combat human trafficking. The Office of the Special Envoy for Children and Migrants' Rights, which includes a Task Force on Human Trafficking and Smuggling, leads FGS' anti-trafficking efforts. (22) The task force, which is led by the Ministry of Interior and Federal Affairs, took steps to improve coordination across the FGS. (58) Separately, Puntland's Counter-Trafficking Board leads the state's anti-trafficking efforts. Somaliland's Counter-Human Trafficking Agency coordinates the development of legislation and collection of data in the semi-autonomous region. (22) Resources to assist victims of human trafficking were limited to government-operated Migrant Response Centers in Bosaso, Hargeisa, and Mogadishu during the reporting period. As of January 2021, the FGS special envoy for children and migrants' rights was working from Kenya and possibly had a reduced role overseeing efforts on migration, human trafficking, and reintegration across the state and regional governments. (13)
Somali National Tripartite Labor Committee	Manages the implementation of the Labor Code and the National Employment Policy. An ILO-recognized body, meets quarterly to review progress and has taken on child labor as an area of special concern. (7) Establishment of the MOLSA-led Somali National Tripartite Labor Committee, and the inclusion of child labor as a special focus, has enabled the ministry to coordinate efforts within the government and between the government and the private sector. (7) Although the government officially established the Somali National Tripartite Labor Committee in 2019, there is no evidence that it was active in 2020. (1)

MOLSA coordinates informally with the Ministry of Women and Human Rights and the Ministry of Defense on child labor-related issues. Other law enforcement agencies include the SPF, the National Intelligence and Security Agency, and the Immigration and Naturalization Directorate. (1) Although these agencies loosely coordinate their activities, there is no formal coordination mechanism to address other forms of child labor, including forced labor in domestic work, agriculture, and herding livestock. During the reporting period, coordination declined due to the pandemic and political crises, including a cabinet reshuffle, the ouster of the country's prime minister, and preparations for national elections. (13)

The FGS Ministry of Internal Security, along with other cabinet-level entities, previously chaired a High-Level Task Force on Migration, which included a working group on human trafficking, but the task force was inactive this year. In November and December 2020, Galmudug, Hirshabelle, and South West State participated in a commission led by the Inter-governmental Authority on Development to coordinate migration resources. (13) Puntland and Somaliland independently instituted their own laws and resource mechanisms without coordinating with the FGS. (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 the lack of a policy covering all worst forms of child labor.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Employment Policy	Provides the Somali National Tripartite Labor Committee with a roadmap for improving labor conditions, including stipulations related to child labor. The policy was designed with ILO support under a Joint UN Project on Youth Employment in Somalia and was adopted in February 2019. (7,39) In 2020 MOLSA, in consultation with ILO, published a macroeconomic analysis of the labor market in Somalia and used the data to inform a draft Child Labor National Action Plan. (7,8,59,60)
Child Soldier Action Plan	Establishes a strategy for identifying and removing children from SNA ranks through education and monitoring of military camps. (1,61) In 2012, the FGS committed to two UN Action Plans to end grave violations against children, including recruitment and use, killing, and maiming. In October 2019, the government committed to a UN Roadmap to expedite the implementation of the two action plans. (62,63) The adoption of the roadmap will address grave violations, including recruitment and use. (18) In 2020, 1,735 children previously associated with armed groups received UNICEF reintegration support under the roadmap. (31,24,52)



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Policy	Description
Somalia Social Protection Policy	Develops and strengthens components of a national social protection system, including safety net programs. Provisions include a guaranteed income floor for vulnerable households and families with children under age 5. (64-66) The tiered policy is designed to protect the poorest strata of society from sinking into destitution, prevent the moderately poor from sliding into extreme poverty, and promote the livelihoods of at-risk populations. (7) The policy focuses, in part, on mitigating the vulnerability of IDPs and other populations to gender-based violence and human trafficking. The policy remained in effect during the reporting period, with benchmarks measuring progress over a 20-year time span. (13)
National Development Plan (2020–2024)†	Broad-based security and poverty reduction policy, with provisions for ending all forms of violence against children, including child labor, and developing and implementing a National Child Labor Policy. Under the National Development Plan's Education Sector Strategic Plan, the Ministry of Education launched a primary school curriculum and established a national secondary school graduation examination. (67,68) In 2020, the Ministry of Labor drafted a work plan to develop a Child Labor Action Plan. (1)
United Nations Strategic Framework (2017–2020)	Established a broad strategic framework in support of humanitarian, development, political, and security reform in Somalia. Included measures to prevent child recruitment, rehabilitate former child soldiers, and mitigate human rights violations, including the arbitrary arrest of children. (69) The framework targeted improved access to child soldier reintegration services and implementation of the 2020 Action Plans on Children Associated with Armed Conflict and Conflict Related Sexual Violence. (69) The government also undertook CPU capacity building through training and enhanced screening measures. (31,22) The framework also sought to establish a nationwide social protection system, which was operationalized in 2020. (64,65)

† Policy was approved during the reporting period.

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (70)

In 2020, MOLSA issued a national workplan under the auspices of its Office for the Senior Advisor on Child Labor. (1) To this end, MOLSA completed a draft child labor work plan, which calls for the deployment of a national child labor prevalence survey and numerous stakeholder meetings, including with line ministries from Somalia's FMS. The NAP will culminate with the development of a Child Labor National Action Plan. (50,51) 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 2020, 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 in their capacity to address the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Defectors Reintegration Program	FGS program in coordination with UNICEF that rehabilitates and reintegrates former combatants, emphasizing the specific needs of former child soldiers, including demobilized female combatants and their dependents. (52,71) Centers located in Baidoa, Beledweyne, Kismayo, and Mogadishu provide accommodation, medical care, psychological counseling, education, and vocational training to former combatants. (52,72) With the Ministry of Defense, facilitated the release and handover of 1,735 children formerly associated with armed forces and armed groups during the reporting period. (52)
Joint Program on Youth Employment in Somalia	Joint program by the Food and Agriculture Organization, ILO, UNDR, 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. (73) In 2019, coordinated with the Ministry of Labor and the Ministry of Planning to conduct a labor force survey, resulting in the development of a National Employment Policy. (59,60,74) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.

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

Program	Description
Donor-Funded Programs	Programs that aim to improve the resiliency of vulnerable families. The \$267 million UNICEF Country Program (2018–2020), implemented with FGS support, aimed to ensure safe, equitable, and quality education for children through a child protection framework. (75) In response to widespread, pandemic-induced school closures in 2020, the Ministry of Education worked with UNICEF to develop Somalia's "COVID-19 Education Response" and safe school re-opening strategies. These plans enabled 141,816 children to continue their education through internet, television, and radio platforms. (52) UNICEF partnerships with the Ministry of Defense and the Defectors Reintegration Program also facilitated the release of 1,735 children formerly associated with armed groups during the reporting period. These children received reintegration support, including family reunification and access to safe shelters, medical care, and formal and informal education. (52,76) UNICEF also provided more than 64,840 children with comprehensive education services, including safe learning spaces, and supported 11,366 children through school feeding programs. (52,76) Moreover, the \$600 million WFP Country Strategic Plan (2019–2021) provided both conditional and unconditional food or cash-based food assistance to vulnerable children. (77) To address high female absenteeism, UNICEF also distributed menstruation kits and provided hygiene health training to 1,900 adolescent girls. In addition, UNICEF trained 776 teachers in pedagogic and psychosocial skills, and provided financial incentives to increase retention. (52) UNICEF's awareness-raising campaigns, which focused on prevention of child recruitment, child marriage, female genital mutilation, and gender-based violence, reached 92,240 people during the reporting period. Finally, UNICEF registered 11,778 unaccompanied and separated children, and provided them with family tracing and reunification services. (52) UNICEF also piloted the rollout of a case management and data management system in Puntland and Somaliland. (52)
Peace Building Fund	\$2 million UN-funded project that supports the prevention of child recruitment and the reintegration of former child soldiers. (63) The project, announced in October 2019 in Baidoa, the capital of South West State, will supplement SNA child soldier prevention and screening methods. Children identified will be released, rehabilitated, and reintegrated into society. (20,22,63) Research was unable to determine whether activities were undertaken to implement the program during the reporting period.
ACT to Protect Children Affected by Armed Conflict†	FGS awareness-raising initiative launched under the auspices of a global UN advocacy campaign highlighting children in armed conflict. (78) Throughout the year, the CPU continued to disseminate radio and print media content regarding the prevention of child recruitment and conscription in armed conflict. (1,13)

† Program is partially funded by the Federal Government of Somalia. (22)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (79)

Although the FGS implemented programs to address child soldiers and child trafficking, existing programs were insufficient to address the scope of the problem, including street work and forced labor 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 Somalia (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 Armed Conflict.	2013 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.	2013 – 2020
	Accede to the Palermo Protocol on Trafficking in Persons.	2013 – 2020
	Clarify whether the pre-1991 Labor Code is still in effect under the Federal Government of Somalia.	2009 – 2020
	Criminally prohibit child trafficking for the purpose of labor and sexual exploitation.	2009 – 2020
	Criminally prohibit using, procuring, and offering a child for prostitution, pornography, and pornographic performances.	2015 – 2020
	Ensure that penalties for the commercial sexual exploitation of children are sufficiently stringent to deter violations.	2013 – 2020
	Ensure that the law protects children involved in commercial sexual exploitation from criminal charges.	2011 – 2020
	Criminally prohibit the use of children in illicit activities.	2009 – 2020
	Criminally prohibit the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the compulsory education age to be commensurate with the minimum age for work.	2009 – 2020

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that Puntland's laws define a child as anyone under age 18, in accordance with international standards.	2016 – 2020
	Ensure that a legal framework on child labor is in place that includes a minimum age for 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.	2009 – 2020
Enforcement	Report labor law enforcement information on the number of violations found, prosecutions initiated, and convictions achieved in all regions of Somalia.	2016 – 2020
	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 – 2020
	Cease the recruitment and use of child soldiers by the SPF, the National Intelligence and Security Agency, and the SNA, as well as Galmudug, Jubaland, and Puntland forces and all allied militia. Investigate, prosecute, and punish, as appropriate, all commanders who recruit and use children.	2015 – 2020
	Ensure that children associated with armed groups are not detained with adults and refer these children to social services providers. Cease the practice of sentencing children to long prison terms for associating with armed groups.	2015 – 2020
	Establish a referral mechanism between the labor inspectorate and social welfare services for children subjected to child labor.	2014 – 2020
	Ensure that the labor inspectorate is funded, and increase the number of labor inspectors to meet the ILO's technical advice.	2020
	Establish a referral mechanism between the SPF and social welfare services for children engaged in forced labor and commercial sexual exploitation.	2014 – 2020
Coordination	Establish coordinating mechanisms to combat all forms of child labor.	2009 – 2020
Government Policies	Adopt policies to address child labor in agriculture, industry, street work, and domestic work.	2018 – 2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible and safe for all children by removing all armed groups from educational facilities, constructing schools outside Mogadishu, removing enrollment fees, and ensuring nomadic and rural children have access.	2013 – 2020
	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 – 2020
	Ensure all social programs are implemented as intended.	2019 – 2020
	Adopt a countrywide birth registration system to facilitate identification of child labor violations.	2019 – 2020

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In 2020, South Africa made minimal advancement in efforts to eliminate the worst forms of child labor. The Government of South Africa increased its Child Support Grant, providing an additional \$35 per month on top of the existing \$33 per month to low-income recipients with children. However, children in South Africa are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as 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 migrant children who lack proper identification documents.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in South Africa are subjected to the worst forms of child labor, including in commercial sexual exploitation and forced begging, each sometimes as the result of human trafficking. (1-4) Table I provides key indicators on children's work and education in South Africa. 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 (%)		90.3

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (5)  
Data were unavailable from International Labor Organization's analysis, 2021. (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, activities unknown (7-10) Fishing (10)
Industry	Factory work, activities unknown (11)
Services	Domestic work (8,10) Food service (2-4,10,12,13) Street work, including transportation services, vending, and begging (2-4,8,10,12,13)
Categorical Worst Forms of Child Labor†‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2-5,10,14-22) Use in illicit activities, including in gang-related activity (23,24) Use in the production of pornography (13,14,25,26) Forced labor in domestic work, agriculture, food service, street vending, and begging, each sometimes as a result of human trafficking (2-4,10,12,13)

† 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.

South Africa is a source, transit, and destination country for child trafficking, with regular reports of children being rescued from human traffickers and sexual exploitation. Young children, mostly girls between the ages of 10 and 14 from poor rural areas, are exploited as prostitutes and for other commercial purposes, including

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domestic work, by human trafficking rings in urban centers such as Bloemfontein, Cape Town, Durban, and Johannesburg. (2-4,10,12,13,27)

According to the ILO in South Africa, an estimated 1.39 million people have been forced into commercial sexual work, an estimated 40–50 percent of whom are children. Trafficked girls are forced into commercial sexual exploitation, while boys who are trafficked are usually forced to work in agriculture, begging, food service, and street vending. (10,28,29) Orphaned children in South Africa are especially vulnerable to human trafficking, including children with disabilities who are also victims of forced begging. (10,28,29)




In South Africa, parents at a given school may vote to pass a resolution authorizing the collection of school fees during a given year. (30) If such a resolution passes, the government waives tuition for the poorest 60 percent of the student body; however, in practice, some families must still pay for uniforms and other school-related expenses, which may restrict children’s access to education. (10,11,30-32)

There is also evidence of children being denied education due to lack of documentation. Since children need identity documents to write their final high school examinations, students who lack the requisite documentation are denied the opportunity to take these tests. (10,31-34) In accordance with the Department of Basic Education's admissions policy, a student application must be accompanied by the child's birth certificate; however, should a parent or caregiver not be able to produce this document, the student must be conditionally admitted to the school until a copy of the birth certificate can be obtained from the Department of Home Affairs. (10,31-34) Despite this policy, there have been reported cases of children being denied access to education because they lack abridged birth registration certificates. While this is true for all children, including South African citizens, it is difficult for refugees and migrants to obtain the appropriate identity documents. (10,31-34)

## 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) (35)
Minimum Age for Hazardous Work	Yes	18	Regulations on Hazardous Work by Children in South Africa (36)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Regulations on Hazardous Work by Children in South Africa; Articles 4–10 of the Basic Conditions of Employment Act (36,37)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Forced Labor	Yes		Article 48 of the BCEA; Article 13 of the Constitution; Article 141 of the Children's Amendment Act; Section 4–5 of the Prevention and Combating of Trafficking in Persons Act of 2013 (37-40)
Prohibition of Child Trafficking	Yes		Article 141 of the Children's Amendment Act (39)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 141 of the Children's Amendment Act; Chapter 3 of Criminal Law Amendment Act 32 (39,41)
Prohibition of Using Children in Illicit Activities	Yes		Article 141 of the Children's Amendment Act (39)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52 of the Defense Act (42)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Article 52 of the Defense Act (42)
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 (43)
Free Public Education	No		Chapter 2, Article 5 and Chapter 4, Article 39 of the South African Schools Act (43)

\* No conscription (42)

Article 39 of the South African Schools 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. These school fees create a barrier for students to attend school. (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 enforcement agencies 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 Employment and Labor (SADOL)	Enforces child labor laws by conducting inspections of worksites and operates 127 labor centers throughout the country where complaints may be lodged. (9,44) 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 (DOJ) for prosecution. (9,45,46) Convenes the Provincial Child Labor Inter-Sectoral Committee and coordinates child labor programs. (9)
South African Police Service (SAPS)	Enforces the legislative mandate under the Children's Act to investigate cases involving the worst forms of child labor. (47,48) Through its Human Trafficking Desk, monitors and evaluates police efforts to investigate human trafficking crimes, trains investigators, and refers human trafficking cases to provincial SAPS units. Operates victim-friendly rooms in police stations across the country. (1)
South African Department of Justice and Constitutional Development (DOJ)	Enforces criminal laws on the worst forms of child labor. (1) Through its Children's Court, focuses on children accused of or victimized by crimes, and cases involving child abuse, abandonment, and neglect. (49)
National Prosecution Authority (NPA)	Prosecutes criminal cases, including cases of human trafficking and other worst forms of child labor. (50)

According to South African Department of Employment and Labor (SADOL) officials, there were 30 children removed from 4 farms in the North West Province and Free State in 2020. While no one bore witness to the children working on the farms, SADOL officials were able to note that the children were not attending school, which prompted the authorities to refer the children to social services. (10)

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### Labor Law Enforcement

In 2020, labor law enforcement agencies in South Africa took actions to combat child labor (Table 6). However, gaps exist within the operations of 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	2019	2020
Labor Inspectorate Funding	\$41 million (11)	\$45 million (51)
Number of Labor Inspectors	1,378 (11)	1,369 (51)
Inspectorate Authorized to Assess Penalties	No (37)	No (37)
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	218,732 (11)	227,990 (51)
Number Conducted at Worksite	Unknown (11)	Unknown (10)
Number of Child Labor Violations Found	15 (11)	Unknown (10)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	Unknown (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 (10)
Unannounced Inspections Permitted	Yes (37)	Yes (37)
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 inspectors is insufficient to carry out inspections, as was the training that inspectors received to identify and investigate child labor trafficking. (10,11) 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. (52,53)

Sources indicate that the inspectorate has limited resources to carry out its mandates. There is also concern that it is unable to attract the best candidates or specialists due to its insufficient budget allocation. (10) Labor inspectors had difficulty accessing farms due to fear of entering private property and concerns for their personal safety when conducting legal inspections. (1,10)

### Criminal Law Enforcement

In 2020, 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 a lack of training for criminal investigators to identify and investigate child labor trafficking.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (11)	Yes (10)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (11)	N/A (10)
Refresher Courses Provided	Yes (11)	Yes (10)
Number of Investigations	22 (11)	15 (51)
Number of Violations Found	5 (11)	5 (51)
Number of Prosecutions Initiated	3 (11)	3 (51)
Number of Convictions	2 (11)	2 (51)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (10)

Research indicates that, despite assistance from the NGO community with the operation of call centers as part of their complaint mechanism, the South African Police Services (SAPS) experienced difficulty properly identifying victims of human trafficking during law enforcement activities. (4,10)

### 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 efficacy in accomplishing mandates.

**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 and includes representatives from commercial agriculture, trade unions, and government agencies, including SAPS. Also includes provincial-level child labor coordinating structures. (1) Research was unable to determine whether actions were undertaken by the committee during the reporting period.
Provincial Child Labor Inter-Sectoral Support Groups	Facilitates 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, DOJ, NPA, the Department of Home Affairs (DHA), the Department of Social Development (DSD), the Department of Education, NGOs, and labor federations. (54)
National Trafficking in Persons Task Team	Coordinates the government's anti-human trafficking efforts, including overseeing strategy, training, and policy decisions made at the provincial level in Gauteng, Mpumalanga, KwaZulu-Natal, the Western Cape, Limpopo, and the Eastern Cape. Led by NPA's Sexual Offenses and Community Affairs Unit and DOJ's Victim Support Directorate. Includes representatives from SADOL, DSD, and DHA, and from other national law enforcement agencies. (11) In October 2020, in partnership with IOM, the government launched the Standard Operating Procedure (SOP) for Integrated Assistance to Victims of Trafficking, designed to help all sectors assist suspected victims of human trafficking with a streamlined and victim-oriented approach. (51)

There has been a significant increase in anti-labor trafficking coordination, including the SADOL's newly instituted mandatory trafficking in persons training and a trafficking in persons manual. This is a direct result of the Government of South Africa's coordination efforts to encourage SADOL to demonstrate leadership on trafficking in persons. (55)

### 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 Program 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. (56) Provides a reciprocal referral mechanism through which SAPS informs SADOL of suspected child labor cases. (9) Identifies lead agencies in the program, including the departments of Labor, Basic Education, Justice and Constitutional Development, Social Development, and Water and Sanitation; SAPS; NPA; and Statistics South Africa. (1,56) Does not include a timeframe to meet identifiable benchmarks or to assess the progress and adequacy of implementation efforts. In addition, research was unable to determine whether actions were undertaken to implement this policy during the reporting period.
Prevention and Combating of Trafficking in Persons National Policy Framework	Outlines the development of procedures and training programs for police and labor inspectors on human trafficking for labor exploitation, including child labor. Enhances social assistance programs to address the needs of child victims of human trafficking, including psychological and social support, food and shelter, school and community reintegration, and placement and protection in child- and youth-care centers. (57) Set to be updated every 3 years. (58) Research was unable to determine whether actions were undertaken to implement this policy during the reporting period.

SADOL continued to oversee the National Child Labor Program of Action, the national plan on the elimination of child labor in South Africa that was adopted in 2003; however, it is not clear if the coordinating mechanisms convened during 2020. (51)



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The government has not included child labor elimination and prevention strategies in the South African Education Action Plan or the National Development Plan. (59,60)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 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. Serves as an important instrument of social protection in South Africa, reaching more than 10 million South African children each month. (1,10) In 2020, the government provided an additional \$35 per month on top of the existing \$33 per month to low-income recipients with children, while also expanding the unemployment social grant for citizens who are out of work. (10,61)
Foster Care Grants†	Encourages children in the foster care system to remain in school as a preventive measure to combat child labor. The government continued the program in 2020. (9-11,62)
Food Relief Program†	Run by DSD and the South African Social Security Agency, provides food assistance to vulnerable and orphaned children, and child-headed households with insufficient income. (63) Continued to operate in 2020. To date, has financially supported 140 community nutrition development centers and provided food to 500,000 people. (62) Supplemented by the National School Nutrition Program, which provides school meals to vulnerable primary and secondary school children from poor families and served approximately 88 percent of vulnerable children in 2020. (1,9,11,62,64,65)
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. Services rendered to victims included psychological interventions, health care, skills development, and education. (3)
Awareness-Raising Campaigns†	Conducts trainings on anti-human trafficking initiatives and regulations governing social services providers. In October 2020, SADOL labor inspectors participated in at least one training session concerning the SOP for Integrated Assistance to Victims of Trafficking. (11,51)

† 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 state that child labor is decreasing, the scope and reach of social programs are insufficient to address the child labor problem as a whole. (10,66) Sources also indicate that around 1.8 million children who are most in need of the Child Support Grant have reported difficulties in accessing the required application documents. (9,10)

### 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 – 2020
	Establish by law free basic public education.	2018 – 2020
Enforcement	Authorize the labor inspectorate to assess penalties.	2015 – 2020
	Publish information on funding and the number of child labor inspections conducted at worksites.	2018 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2017 – 2020
	Ensure that sufficient resources are provided to the labor inspectorate to conduct inspections, including recruiting new inspectors and inspections in which child labor is known to occur.	2018 – 2020
	Ensure that law enforcement is trained to properly identify victims of the worst forms of child labor and human trafficking.	2017 – 2020
	Ensure that labor inspectors are provided adequate protection and security when conducting labor inspections on private property.	2020

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

Area	Suggested Action	Year(s) Suggested
Coordination	Ensure that all coordination bodies are able to carry out their intended mandates.	2017 – 2020
Government Policies	Include a timeframe and benchmarks in the National Child Labor Program of Action for South Africa to properly monitor and assess the progress of efforts to combat child labor.	2017 – 2020
	Integrate child labor elimination and prevention strategies into the South African Education Action Plan and the National Development Plan.	2013 – 2020
	Ensure that all child labor policies are implemented and are able to carry out their mandates.	2020
Social Programs	Ensure that migrants and refugees have equal access to education, and make additional efforts to provide all children with birth documentation.	2016 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2018 – 2020
	Ensure access to education for all children by eliminating school-related fees for basic education.	2009 – 2020
	Institute programs to address the worst forms of child labor, including in agriculture, domestic work, and commercial sexual exploitation.	2010 – 2020
	Ensure that children who qualify for the Child Support Grant are able to access the program's application material.	2020

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In 2020, South Sudan is receiving an assessment of no advancement. Despite initiatives to address child labor, South Sudan is assessed as having made no advancement because it demonstrated a practice of being complicit in the use of forced child labor in more than isolated incidents. Military forces continued to recruit children, sometimes forcibly, to fight opposition groups. Otherwise, the government made efforts by signing into law a United Nations comprehensive action plan to end grave violations against children, inaugurating a juvenile court, and deploying a distance-learning program that reached 1.5 million children. Children in South Sudan are subjected to the worst forms of child labor, including use in armed conflict and forced labor in cattle herding. The government did not hold perpetrators of child labor accountable and has yet to ratify the Palermo Protocol on Trafficking in Persons. In addition, police continued to 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 are subjected to the worst forms of child labor, including use in armed conflict and forced labor in cattle herding. (1-10) Table I provides key indicators on children's work and education in South Sudan.

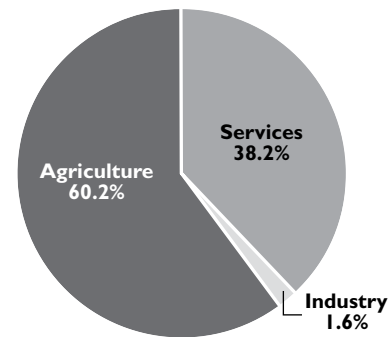
**Table I. Statistics on Children's Work and Education**

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 (%)		27.4

Source for primary completion rate: Data from 2011, published by UNESCO Institute for Statistics, 2021. (11)

Source for all other data: International Labor Organization's analysis of statistics from Fifth Housing and Population Census, 2008. (12)

**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 activities, including planting and harvesting crops (10,13,14)
	Cattle herding† (10,14,15)
	Gathering firewood (14,16)
Industry	Construction,† including building and transporting materials (14,15)
	Rock breaking† (14,15)
	Making bricks (1,10,14,16)
	Gold mining,† including carrying soil and panning (2,14,16,17)
Services	Domestic work (14)
	Street work, including vending, polishing shoes, preparing tea, selling black market gasoline, and ticket taking for group transport companies (10,14,16)
	Cooking and cleaning in restaurants or food stands (10,14)
	Scrap metal and empty bottle collection (15,18)
	Work in slaughterhouses, including transporting livestock and meat (15)

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor†	Forced labor in brickmaking, cattle herding, gold mining, and market vending (14,16,19-21)
	Commercial sexual exploitation, sometimes as a result of human trafficking (2,14,16,19)
	Forced recruitment of children by state and non-state armed groups for use in armed conflict (14,21-23)

† 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.

The 2018 Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) mandates the release and reintegration of child soldiers by all armed groups. (14,24) During the reporting period, signatories to the R-ARCSS recommitted to a UN Action Plan to end and prevent all grave violations against children, including recruitment and use in armed conflict. (25) Despite this commitment, evidence suggests that the South Sudan People's Defense Force (SSPDF), the national army of South Sudan, continued to forcibly recruit children in 2020. (10,22,26) The government continued to participate in child soldier release and reintegration ceremonies, but it did not hold SSPDF officers criminally accountable for the unlawful recruitment and use of children. (23)

Since the onset of the conflict in December 2013, government and opposition forces have recruited more than 19,000 children. (14,27) The number of grave violations decreased significantly in the second half of the reporting period, as parties to the R-ARCSS began to observe a ceasefire. (28) Many former child combatants have since been released or are no longer classified as children. (14,29) Nevertheless, both government and non-state armed groups, including the SSPDF and Sudan People's Liberation Army – In Opposition (SPLA-IO), recruited and used children as young as age 12, sometimes forcibly. (21,22) Four children were between the ages of 13 and 14 years old; the rest were between 15 and 17 years old. (10)

Recruitment rates spiked in January and February 2020 ahead of a planned ceasefire, and observers documented systematic recruitment of children through June 2020. (10,14,22,28,30) SSPDF Division 4 commander Brigadier General James Galiak Kai, under Vice President Taban Deng Gai, and Major General Turuk Khor of SPLA-IO Division 4A, both led forced recruitment drives during the reporting period. (26) Other perpetrators include a range of opposition groups, including the National Salvation Front-Khalid Butrus and the South Sudan National Liberation Movement. (28) In some instances, local commissioners carried out recruitment drives on behalf of the state's National Security Services and the SSPDF. (22,30,31) In Warrap, elements of South Sudan's National Security Services and SSPDF leveraged a cattle extortion scheme to procure children and young men of fighting age. Non-signatories to the ceasefire, including Paul Malong's South Sudan United Front and the National Salvation Front, also forcibly abducted children from their homes, schools, and communities. (14,22,29,30,32)

Children were subjected to rape and sexual slavery by armed elements; some were forced to serve as "wives" of commanders and members of armed groups. (14,33) This sexual exploitation has political and commercial elements because it is used as in-kind payment for fighters. (10) Although some children joined voluntarily, they were later unable to leave the groups at will. (9,22,34) Children affiliated with non-state armed groups performed active combat roles, perpetrated 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. (14,19,34)

An even greater number of children fight as part of local community defense forces. (16) Children abducted by armed pastoralists may be forcibly incorporated into heavily militarized cattle rustling networks. Older boys are forced to work as soldiers, herders, or cattle rustlers. (10) Younger children tend to smaller livestock, and teenagers serve as auxiliaries for armed pastoralists or self-defense groups. (35,36) Among certain tribes, cattle raiding marks a rite of passage to adulthood. (35,36) An estimated 10,000 children are engaged in herding cattle throughout the country. Some of these children are used in armed cattle raids on other tribes. (10)

As of December 2020, South Sudan hosted approximately 1.6 million IDPs, with 2.2 million South Sudanese refugees living in neighboring countries. These groups, including orphaned children, were at increased risk of



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human trafficking and other forms of labor exploitation. (21) UNICEF has registered over 26,000 unaccompanied minors since the onset of the conflict. These children are particularly vulnerable to abduction for forced labor or commercial sex. (8,19,37,38) South Sudan has never conducted a comprehensive child labor survey, so information about sectors in which child labor occurs is unavailable. (14)

Research suggests that border closures and restrictions on regional travel to contain the COVID-19 pandemic led to an increase in human trafficking, as criminal networks exploited unofficial entry points. Kenyan, Ethiopian, and Eritrean business owners recruited and exploited their compatriots who entered South Sudan, including girls who were forced into domestic servitude. (21) Children employed in hotels, restaurants, and construction were forced to work for little or no pay, and some were subjected to sex trafficking. (21) Girls in rural areas, meanwhile, who gather firewood or collect water are at risk of violence and sexual exploitation. In gold mining regions, children work alongside their families in artisanal mining operations, especially in the Kapoeta area of Equatoria. (10) An estimated 7,600 children are employed in mining, shops, and other work in the informal economy in Kapoeta. There is anecdotal evidence of children selling a drug known as “Five,” a street name for Diazepam, a benzodiazepine. The drug is imported from Uganda and sold and consumed by children on the streets. (10)




South Sudan's out-of-school rate is one of the highest in the world, with an estimated 1 in 13 children expected to complete a full cycle of primary education. (3,37,39) In 2020, before the onset of the pandemic, South Sudan's out-of-school population reached a record 2.8 million. Conflict, flooding, and the pandemic, among other shocks, led to additional school closures and a subsequent increase in child marriages and child labor during the reporting period. (21,40) Poor families exchanged their young daughters for a bride price, or as restitution following inter-communal conflict. (10) Girls forced into marriages as compensation for inter-ethnic killings are subsequently subjected to sexual slavery or domestic servitude. (10,21) In both situations, girls were subjected to forced domestic labor. Ongoing fighting hindered the government's ability to deliver aid, provide education, and address the worst forms of child labor. (10,14,39) Moreover, South Sudan's education sector is chronically underfunded. Public school teachers were paid sporadically, leading to low morale and frequent absenteeism. (10,14) In addition to the abduction and use of children, ongoing military operations in conflict-affected areas forced teachers to flee. Armed groups, including government forces, continue to occupy schools in contested areas, although school occupations decreased significantly during the reporting period. (10,14) Government forces occupied at least two schools at the close of the reporting period. (41)

Although the Constitution and the Child Act provide for free primary education, in practice, many families must contribute school fees to pay teacher salaries and other related costs, which may be prohibitive. (37,39,42) In addition, children in pastoralist communities generally lack access to schools, materials, or teachers. (35)

## 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	

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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 Labor Act; Article 25(3) of the Child Act (43,44)
Minimum Age for Hazardous Work	Yes	18	Sections 12 and 13 of the Labor Act; Articles 22(3), 24(1), and 25(1) of the Child Act (43,44)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 25(2) of the Child Act (43)
Prohibition of Forced Labor	Yes		Articles 10(1) and 13(2)(a) of the Labor Act; Articles 277–279 of the Penal Code; Article 13 of the Constitution (44-46)
Prohibition of Child Trafficking	Yes		Article 13(2) of the Labor Act; Article 22(3)(b) of the Child Act; Articles 276 and 278–282 of the Penal Code (43-45)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Article 13(2)(b) of the Labor Act; Articles 22(3)(c)–(d), 22(4), and 25(2)(m) of the Child Act; Articles 258 and 276 of the Penal Code (43-45)
Prohibition of Using Children in Illicit Activities	Yes		Article 13(2)(c) of the Labor Act; Article 24(1) of the Child Act; Article 383(3)(d) of the Penal Code (43-45)
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 (43,47)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 31(1) of the Child Act; Sections 20 and 22(2) of the Sudan People’s Liberation Army Act (43,47)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 31(1), 31(2) and 32 of the Child Act (43)
Compulsory Education Age	No	13	Article 9.1(b) of the General Education Act; Article 14(1) of the Child Act (43,48)
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 (43,44,46,48)

There are no regulations governing the Labor Act’s implementation. In accordance with the Labor 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 children age 16 may perform hazardous work, and a complete list of hazardous work. (9,44) Drafting regulations will require cooperation between MOL and the Ministry of Justice. (14)

On February 7, 2020, the government signed a comprehensive action plan to end all grave violations against children into law. (25)

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. (14,43,48)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor, Public Service and Human Resource Development	Enforces child labor laws, identifies child labor violations, and conducts workplace inspections. (14,43,44,49)
South Sudan People's Defense Force (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 SSPDF. Headed by a Brigadier General, serves as liaison between SSPDF and the international community. (14)
Ministry of Interior's South Sudan National Police Services (SSNPS)	Enforce criminal laws related to the worst forms of child labor. (14)
Ministry of Justice	Oversees all courts and prosecutes violations, including those related to child labor. (14)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in South Sudan 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	2019	2020
Labor Inspectorate Funding	\$11,000 (14)	\$68,138 (10)
Number of Labor Inspectors	13 (14)	14 (10)
Inspectorate Authorized to Assess Penalties	No (44)	No (44)
Initial Training for New Labor Inspectors	Yes (14)	Yes (10)
Training on New Laws Related to Child Labor	N/A (14)	N/A (10)
Refresher Courses Provided	Yes (14)	Yes (10)
Number of Labor Inspections Conducted	750 (14)	39 (10)
Number Conducted at Worksite	750 (14)	39 (10)
Number of Child Labor Violations Found	0 (14)	0 (10)
Number of Child Labor Violations for Which Penalties Were Imposed	N/A (14)	N/A (10)
Number of Child Labor Penalties Imposed that Were Collected	N/A	N/A (10)
Routine Inspections Conducted	Yes (14)	Yes (10)
Routine Inspections Targeted	No (14)	No (10)
Unannounced Inspections Permitted	Yes (44)	Yes (44)
Unannounced Inspections Conducted	Yes (14)	Yes (10)
Complaint Mechanism Exists	Yes (14)	Yes (10)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (14)	Yes (10)

In 2020, the Ministry of Finance and Planning agreed to provide the MOL with a budget of \$3,391 (600,000 South Sudanese Pounds) per month. While MOL allocated one-fifth (\$678) to its labor inspectorate, inspectors were paid sporadically. (10) MOL is authorized to retain 20 percent of the fees it collects for work permits and 20 percent of the fines it collects for labor law violations. This yielded approximately \$60,000 in retained fees and fines through the first 3 months of the year. (10) This amount is divided equally among the five directorates within the Ministry. (10) However, MOL lacked sufficient resources, including vehicles, to investigate labor complaints, including allegations of child labor. (10,14,49) Moreover, sporadic payment cycles incentivized some inspectors to pocket undocumented "fines." (14) There was also a high level of absenteeism among ministry staff, and salaries for civil servants in nearly every ministry were not paid for several months, further hindering the labor inspectorate's ability to enforce child labor laws. (9,14)

In 2020, labor inspectors were trained on the application of existing labor laws. (10,14) The labor inspectorate conducted three worksite inspections per week until March, when pandemic-related lockdowns were implemented and MOL suspended worksite inspections. Labor inspectors did not target the informal sector,

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private homes, or farms, in which child labor is known to occur. While child labor is known to occur in the informal sector, inspections were limited to the formal sector. (10) Moreover, labor violations were not referred to legal authorities as required by law. (10,14,43) Inspectors may issue a compliance notice to violators, but regulations do not specify penalties for infractions. Although statistics on the number of people in South Sudan’s labor force are unavailable, 14 labor inspectors may be insufficient to address the scope of the country’s child labor problem. (14,50,51)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in South Sudan took actions to combat child labor (Table 7). However, gaps exist within the operations of the Government of South Sudan that may hinder adequate criminal law enforcement, including inability to prosecute perpetrators of the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (14)	No (10)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (14)	N/A (10)
Refresher Courses Provided	Yes (14)	No (10)
Number of Investigations	Unknown (14)	Unknown (10)
Number of Violations Found	580 (14)	82 (10)
Number of Prosecutions Initiated	0 (14)	0 (10)
Number of Convictions	0 (14)	0 (10)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (14)	No (10)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (14)	Yes (10)

In December 2020, the government inaugurated the first Gender-Based Violence and Juvenile Court. This specialized court will provide dedicated and expedited trials of gender-based violence and juvenile cases, including labor and commercial sexual exploitation. (21) Due to the pandemic, international monitors maintained limited access to certain regions, and were therefore unable to verify alleged violations against children. These restrictions also slowed the verification and release of children associated with armed forces and armed groups in 2020. (40) During the reporting period, 57 former child soldiers were demobilized and reintegrated. (10,21,40) However, the government has not established a referral mechanism for other victims of the worst forms of child labor, including forced labor and commercial sexual exploitation.

South Sudan’s justice system faces enormous challenges, such as low capacity, insufficient funding, corruption, interference by the government and the SSPDF, insufficient training for law enforcement personnel, and a scarcity of judges, prosecutors, and defense attorneys. (14,19,52,53) Research indicates that prosecutors and law enforcement officials are not familiar with legal statutes regarding the worst forms of child labor. (9,19) As a result, police continued to arrest and imprison children engaged in commercial sexual exploitation rather than treating them as victims. (14,19)

During the first 6 months of the reporting period, the UN Country Task Force on Monitoring and Reporting (CTFMR) verified 82 grave violations against children in the context of armed conflict and oversaw the release of 57 children from service in armed groups. In January 2020, the heavily armed forces of Thomas Cirillo’s National Salvation Front (NAS), a non-signatory of the 2018 R-ARCSS, raided homes in Western Equatoria state, abducting one girl and two boys. (10) The whereabouts of these children are currently unknown. In March 2020, CTFMR also verified the abduction of a 15-year-old boy by NAS forces in Central Equatoria state. His whereabouts are also presently unknown. (10) There is no indication that any of these violations resulted in arrests or criminal prosecutions. (10) 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. (16,19)

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### 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
Technical Task Force on Anti-Human Trafficking and Smuggling of Persons	Oversees the implementation of the Palermo Protocol and policy development on anti-trafficking and smuggling of migrants. Members of the task force include the Ministry of Justice (co-chair), Ministry of Interior (co-chair), the National Security Service – Internal Security Bureau, the Ministry of Labor, Public Service and Human Resource Development (MOL), and the Ministry of Child, Gender, and Social Welfare. (23) The task force finalized a Terms of Reference with an action plan and completed the first phase of awareness-raising activities during the reporting period. The Ministry of Interior endorsed the task force in July 2020. (21) However, the government did not allocate a budget for the task force or other anti-trafficking activities in 2019–2020. (21)
South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC)	Oversees and coordinates the disarmament, demobilization, and reintegration (DDR) of former child soldiers, with the assistance of UN bodies by convening regular meetings with DDR stakeholders. (54) The commission includes members of the pro-Machar Sudan People's Liberation Army – In Opposition (SPLA-IO) and South Sudan Opposition Alliance (SSOA), along with parties to the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS). (14) Responsible for the negotiation of the release, screening, and registration of child soldiers; reunification with family when possible; and educational placement or vocational training. (16) In the context of child soldiers, the DDR Commission, working closely with UNICEF, maintains a network of local contacts (NGOs and community members) throughout the country who work to locate the families of rescued child soldiers, provide vocational training to them, and otherwise assist in their reintegration into civilian life. (10) In 2020, oversaw demobilization ceremonies resulting in the release and reintegration of 54 children. (10) The NDDRC is currently governed by the Action Plan of the Government of the Republic of South Sudan Regarding Children Associated with Armed Conflict in South Sudan (Action Plan) signed on February 7, 2020, by all parties to the R-ARCSS. However, the government did not fund the NDDRC in 2020. The lack of funding significantly hampered efforts to identify child soldiers, obtain their release from military service, and help them reintegrate with society. (10)
UN Country Task Force on Monitoring and Reporting (CTFMR)	Screens and releases all children associated with armed groups, and reports on grave violations affecting children in armed conflict. Co-chaired by UNICEF, which leads child protection awareness and sensitization efforts within the SSPDF. (14,23,55) Under this framework, UNICEF coordinated the release of former child combatants in Unity, Western Equatoria, Central Equatoria, Jonglei, and Western Bahr el Ghazal states, along with the United Nations Mission in South Sudan (UNMISS) Child Protection Unit and NDDRC. (29) The CTFMR's Joint Verification Committee consists of SSPDF, SPLA-IO, SSOA, the Taban Deng-allied SSPDF, NDDRC, UNMISS, and UNICEF. (28) In the first 6 months of 2020, the SSPDF and SPLA-IO formally released 54 children (3 girls, 51 boys) from military service under the CTFMR. (10) The committee conducted child protection training for UNMISS personnel, and mobile units were deployed to remote areas and IDP camps to provide additional monitoring and verification training. During the first half of 2020, tCTFMR also conducted more than 40 child protection, induction, and mainstreaming and awareness-raising sessions targeting 7,603 participants. (10,14,56) Trainees included members of government-aligned and non-government-aligned armed forces, UN personnel, and community members. (10,41)
Ceasefire and Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM)	Monitors compliance of R-ARCSS parties through its 12 Monitoring and Verification Teams (MVTs), which are located in 9 conflict-affected regions of South Sudan. (57) MVT units report all violations, including recruitment of child soldiers, to CTSAMVM headquarters in Juba. The mechanism supports NDDRC's mandate of reintegrating former child soldiers and children associated with armed groups into civilian life. (14,58) In 2020, assisted NDDRC in identifying and securing the release of at least 54 child soldiers. (10,14) Through October 2020, the Africa-EU Partnership provided CTSAMVM with \$6,063,850 (EUR 5 million). (59)
Ministry of Gender, Child, and Social Welfare (MGCSW)	Coordinates activities on children's rights and acts as the focal ministry for child protection. (14) MOL refers victims of the most egregious child labor violations to the MGCSW for rehabilitation and support services. (10) However, as no violations were uncovered, no victims were referred during the reporting period.

While the South Sudan Disarmament, Demobilization, and Reintegration Commission (NDDRC) coordinates efforts to address children in armed conflict, the government does not have coordinating mechanisms to address other forms of child labor, because the National Steering Committee on Child Labor has not been active since it was first constituted in 2012. It is unclear what proportion of the NDDRC's budget was dedicated to demobilizing and reintegrating child soldiers in 2020. (10,14) The Ministries of Labor, Interior, and Justice are responsible for enforcement of criminal laws against child labor, child trafficking, and commercial sexual exploitation of children. However, their mandates are not clearly defined, further impeding effective government action. (9,14,21)



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### 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 (2018)	Replaces all components of the 2015 Agreement on the Resolution of the Conflict in the Republic of South Sudan, 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. (24,60) 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. (24) Although the release of some child soldiers occurred in 2020, the signatories continued to recruit or re-recruit children during the reporting period. (10,14,22)
General Education Strategic Plan (2017–2022)	Aims to improve access to and quality of education through grants and cash transfers to girls in upper primary and secondary schools, as well as payment of teachers' salaries. The Ministry of General Education and Instructions (MoGEI) implemented distance-learning programs that reached 1.5 million children during the reporting period. (61-63) In addition, UNICEF supported a General Education Annual Review to assess the progression of education against the General Education Strategic Plan's priorities and targets. (61-63) However, South Sudan's education sector is largely donor-subsidized, and sufficient funding was not allocated for the full 5 year period of the General Education Strategic Plan. (9,61)
Comprehensive Action Plan to Prevent Grave Violations Against Children in South Sudan†	Aims to prevent and mitigate grave violations against children, including the recruitment of child soldiers and attacks on schools. Applies to all state and non-state groups, and comes into force under the February 2020 transitional government. (10,25) Parties to the commitment include the SSPDF and Riek Machar's SPLA-IO, both of which were listed for child recruitment and use in armed conflict, as well as SSOA. (25) This document contains a list of concrete steps meant to "halt and prevent the violations against children in situations of armed conflict". The government cooperated with CTFMR to complete several of the first steps called for in the Action Plan, including standing up high-level and technical committees at the national level and convening monthly meetings of these committees. (10) The drafting process was supported by UNMISS and UNICEF, in collaboration with SSPDF. In 2020, the Defense Ministry coordinated with the SSPDF to integrate the Action Plan into its Civic Education Unit. (31,64)

† Policy was approved during the reporting period.

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Joint Program for Recovery and Resilience	Joint agreement between donors, USAID, UN agencies, local leaders, and NGOs that aims to re-establish access to basic services, including psychosocial support, education, and economic alternatives for children separated from armed groups. (4,65,66) The Partnership for Recovery and Resilience (PfRR) was inaugurated in Yambio in 2018, and programs in Torit, Wau, and Aweil were launched during the reporting period. (67) Aims to complete construction of seven primary schools; provide learning and teaching materials to all primary schools in the area formerly known as Gbudue State (reincorporated into Western Equatoria in February 2020); and ensure that 100 percent of children associated with armed groups are demobilized and reintegrated in their communities. (68)

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

Program	Description
UNICEF and Donor-Funded Programs	Programs to improve educational access in areas affected by conflict. Includes Back to Learning (BTL), a State Ministry of Education, Gender, and Social Welfare-administered, UNICEF-funded program in Yambio and Bentiu that aims to address educational needs in conflict-afflicted areas and insecure states. BTL targeted 700,000 children in 2020, including girls and children living in pastoralist communities. (62,69,70) Following pandemic-related school closures in March 2020, UNICEF and MoGEI developed and implemented distance-learning programs. As of December 2020, UNICEF's radio-learning programs and television broadcasts allowed 1.5 million pre-school, primary, and secondary students to continue their education. (63) Moreover, 921,935 children were provided with essential learning supplies. (63) With the support of UNICEF's Education Cluster partners and MoGEI, schools were re-opened in October for candidate classes. By December, 1,700 schools reopened, allowing 110,000 children graduating from primary and secondary grades to sit for their exams. (63) UNICEF also trained 892 teachers on education-in-emergencies pedagogy during the reporting period. UNICEF's early learning, pre-primary, primary, or secondary education programs reached 248,456 children, 42 percent of whom were girls. (63,69) The organization delivered psychosocial support services to 95,487 children. (63) UNICEF also provided 983 unaccompanied and separated children with family tracing and reunification services. (63) Finally, Don Bosco and World Vision provided vocational training to demobilized child soldiers during the reporting period. In February 2020, 101 former child soldiers graduated from World Vision's vocational training program. (10)
Dallaire Initiative (2018–2021)	Romeo Dallaire Child Soldiers Initiative-funded project (\$2.2 million). Aims to train 1,200 South Sudanese soldiers, police, and prison personnel on combating the use of children in armed conflict through behavior change. (17) In 2020, trained 187 security-sector actors (20 percent female) in the Dallaire Initiative Basic Training Course on preventing the recruitment and use of child soldiers from a gender approach; trained 4,979 security-sector actors (26 percent female) in professional development aimed at preventing the use and recruitment of child soldiers; taught 956 instructors from the military and police forces to deliver training in child protection in field operations; executed memorandums of understanding with the SSPDF and the South Sudan National Police Services (SSNPS) to collaborate and assist with training, doctrine development, and awareness raising in preventing the recruitment and use of child soldiers; and worked with two NGOs and a South Sudanese civil society organization to develop three curriculum packages on the recruitment and use of child soldiers from a gender-responsive approach. (10)
Alternative Education System	Aims to improve literacy and provide out-of-school populations an alternative to formal education. Includes: the Accelerated Learning Program, which implements the MoGEI program targeting children ages 12–18 who have reenrolled in lower primary classes. Also includes Community Girls' Schools, located in closer proximity to rural communities, and the Pastoralist Education Program, which targets children and adults in pastoral areas. Research was unable to determine whether activities were undertaken to implement the programs during the reporting period. (61)
Measurement, Awareness Raising, and Policy Engagement (MAP 16) Project on Child Labor and Forced Labor	The <a href="#">MAP 16 Project (2016–2022)</a> , funded by USDOL and implemented by the ILO, aims to address knowledge gaps on child labor through research and data collection; the development of new survey methodologies; and capacity building programs. MAP 16 also supports partnerships to accelerate progress in combating child labor, forced labor, and human trafficking. (71) The project will likewise support regional and sub-regional initiatives to eradicate child labor and forced labor in Africa. (71,72) Completed work on a three-country study of forced child labor in conflict zones, including South Sudan, which is due to be published in 2021. (72) Additional information is available on the <a href="#">USDOL website</a> .

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (9,19)

Although South Sudan has programs that target child labor, the scope of these programs is insufficient to fully address the 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 existing needs. (9,37,65,73)

## 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).

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**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 – 2020
	Ensure that the compulsory education age is consistent with the minimum age for work.	2013 – 2020
	Ensure that the worst forms of child labor are prohibited for all children under age 18 by law.	2017 – 2020
Enforcement	Ensure that labor regulations specify monetary penalties for all labor infractions, and that specified penalties are high enough to serve as a deterrent.	2019 – 2020
	Increase the number of labor inspectors to adequately enforce labor laws throughout the country, including in the informal sector; and collect and publish labor force statistics, which are necessary to calculate ILO labor inspector recommendations.	2016 – 2020
	Provide sufficient human and financial resources to ensure that labor inspectors carry out routine inspections, including targeted inspections based on analysis of data related to high-risk sectors and patterns of serious incidents; that detected violations are reported, as required by law; and that labor inspectorate staff are paid at regular intervals.	2012 – 2020
	Publish the data on initial training for new criminal investigators and refresher courses provided, number of criminal investigations conducted, prosecutions initiated, and convictions secured, and prosecute all perpetrators of child labor.	2015 – 2020
	End state recruitment and use of children in armed conflict, including forced recruitment of children.	2020
	Authorize the labor inspectorate to assess penalties.	2020
	Investigate, prosecute, and impose penalties on perpetrators; and ensure that penalties are sufficiently high to deter future offenders.	2013 – 2020
	Establish referral mechanisms between criminal law enforcement agencies and social services providers for victims of the worst forms of child labor.	2014 – 2020
	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 – 2020
	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 People's Defense Force, the Sudan People's Liberation Movement Army – In Opposition, or associated militias.	2012 – 2020
Coordination	Establish coordinating mechanisms to combat all worst forms of child labor, and ensure mandates are clearly defined.	2013 – 2020
	Ensure that the Technical Task Force on Anti-Human Trafficking and the South Sudan Disarmament, Demobilization, and Reintegration Commission are funded.	2020
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 – 2020
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 – 2020
	Ensure that children complete their primary education by resuming payment of teachers' salaries and subsidizing other school-related costs, and by withdrawing government forces from occupied schools.	2014 – 2020
	Improve access to education by addressing the lack of school infrastructure, including for pastoralist children; reducing school fees; and registering all children at birth.	2012 – 2020
	Increase the scope of social programs to reach more children at risk of child labor, including in commercial sexual exploitation and child soldiering.	2012 – 2020
	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 – 2020

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In 2020, Sri Lanka made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government raised the minimum age for employment from 14 to 16 years, which is also the compulsory education age. It also took steps towards implementing the regulations on the Hazardous Occupations Regulations Gazette under the Employment of Women, Young Persons and Children Act, and developed a COVID-19 Child Vulnerability Survey. Furthermore, the government increased its number of labor inspectors from 494 to 588 and approved a new National Strategic Plan to Monitor and Combat Human Trafficking (2021–2025). Finally, the government implemented a cash transfer program for families who lost their income due to the COVID-19 pandemic and other social welfare programs targeting low-income households that are aimed at reducing the economic vulnerabilities of children. However, children in Sri Lanka are subjected to the worst forms of child labor, including in domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. Although the government made meaningful efforts in all relevant areas during the reporting period, research indicates some victims of child trafficking or commercial sexual exploitation may be penalized for prostitution and other offenses rather than treated as victims. In addition, the labor inspectorate is not authorized to assess penalties for labor law violations. Some children in rural areas face barriers to accessing education, including difficulties in traveling to school in some regions and an inadequate number of teachers. Also, the government does not fully disaggregate criminal data, including cases investigated for forced child labor, child trafficking, child commercial sexual exploitation, and the use of children in illicit activities.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Sri Lanka are subjected to the worst forms of child labor, including in domestic work 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 Sri Lanka.

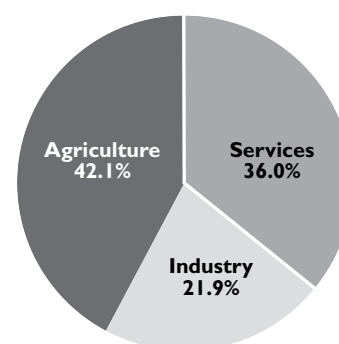
**Table 1. Statistics on Children's Work and Education**

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 (%)		102.4

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Child Activity Survey (CAS), 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 (2,7-9)
	Fishing, including deep sea fishing,† processing fish, and selling fish (1,2,8-11)
Industry	Manufacturing, including textiles and garments, and food processing (2,8,9,12)
	Mining† and construction† (1,2,8,9,12,13)

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Services	Domestic work (1,2,8,9)
	Vending, in stores and on the streets, transportation, and begging (1,2,8-10)
	Work in hotels, restaurants, and offices (8,13)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,4,7,14-18)
	Forced labor in domestic work, sometimes as a result of human trafficking (3,7)
	Use in illicit activities, including drug trafficking (7,19,20)

† 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.







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. (8) The ILO and an NGO documented several cases of debt distress among workers at private, smallholding tea estates, which increased the risk of child labor in the tea sector. (1) Debt distress can be linked to debts that workers owed to the estate for housing and accommodating their families. (21) NGOs also report that smallholder farmers face labor shortages during harvest times and an increasing cost of labor and production, and often rely on children under the age of 12 to help during the harvest period. (2,22) There are reports of children subjected to child trafficking internally, including from tea estates, to perform domestic work in Colombo. In addition, child domestic workers are subjected to sexual, physical, and psychological abuse, non-payment of wages, and restrictions on movement. (1,7) Children, predominantly boys, are also forced into commercial sexual exploitation in tourist areas as part of the sex tourism industry, sometimes as a result of human trafficking. (1,3,4,16,18,23) In 2018, the ILO conducted a rapid assessment of the extent of commercial sexual exploitation of children in the coastal areas and found that most of the children were ages 15–17. According to the Sri Lankan Department of Labor, children living in coastal and agricultural areas, mining areas, and firewood-producing areas were vulnerable to child labor. (1,3,24) During the reporting period, there was a significant reduction in reports of the commercial sexual exploitation of children, due to the government closing the country to international tourism from March 2020 to December 2020. (2,24)

Although the government provides free, compulsory education to all schoolchildren, some children in rural areas face barriers to accessing education, including difficulties traveling to school in some regions and an inadequate number of teachers. (1)

## 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	16	Sections 7, 9, 13, and 34 of the Employment of Women, Young Persons, and Children Act; Section 6 of the Employment of Women, Young Persons and Children Amendment Act (25,26)
Minimum Age for Hazardous Work	Yes	18	Section 20A of the Employment of Women, Young Persons, and Children Act (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Hazardous Occupations Regulation No. 47; Section 20A of the Employment of Women, Young Persons, and Children Act (25,27)
Prohibition of Forced Labor	Yes		Sections 358A, 360C, 360A(2), and 360A(4) of the Penal Code (27)
Prohibition of Child Trafficking	Yes		Sections 360C, 360A(2), and 360A(4) of the Penal Code (27)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 286A, 360B, 360A(2), and 360A(4) of the Penal Code (27)
Prohibition of Using Children in Illicit Activities	Yes		Sections 288, 288A, 288B, and 360C of the Penal Code (27)
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 (25,28)
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 (25,27,28)
Compulsory Education Age	Yes	16	Section 43 of the Education Ordinance; Compulsory Attendance of Children at Schools Regulation No. 1 of 2015 (29,30)
Free Public Education	Yes		Section 47 of the Education Ordinance (29)

\* No conscription (31)

During the reporting period, the government raised the minimum age for employment from 14 to 16 years, up to the compulsory education age. (26) The hazardous work list is not comprehensive because it does not include domestic work, in which there is evidence that children are subject to abuse. (3) However, in 2019, the Department of Labor reviewed the Hazardous Occupations Regulations Gazette under the Employment of Women, Young Persons and Children Act and drafted new regulations with stakeholder participation. The draft was finalized in 2020 but has not been fully implemented. (2,32)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

## MODERATE ADVANCEMENT

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Department of Labor in the Ministry of Labor	Formerly the Ministry of Skill Development, Employment and Labor Relations. (32) Enforces labor law in relation to the employment of children and young persons. Receives public complaints of child labor lodged in national and district-level offices. Receives complaints from other state organizations, including from the National Child Protection Authority (NCPA). (1,2) Conducts special investigations in relation to child labor and hazardous labor, and takes legal action as necessary. (1,2) In 2020, investigated 105 complaints of child labor violations, and discovered 6 instances of child labor. Also conducted 2 series of special group inspections during the year covering all geographic areas of the country, during which 42 group inspections covering 210 worksites identified 1 violation. (2) During the reporting period, the Department of Labor also conducted a national awareness-raising program and launched an official YouTube channel, through which it published videos on the elimination of child labor. (2)
Children and Women's Bureau of the Sri Lankan Police	Enforces laws on child labor, child trafficking, commercial sexual exploitation of children, and the use of children in illicit activities. (7,33) Also supervises the NCPA Special Police Investigation Unit, which has approximately 40 police officers who investigate complaints involving children, including complaints of child labor. (1) Received five child victims as referrals from the Department of Labor during the reporting period. (2)
National Child Protection Authority (NCPA) Special Police Investigation Unit	Investigates complaints involving children, including child labor. (7,34,35) Along with the Children and Women's Bureau of the Sri Lankan Police, receives complaints on commercial sexual exploitation and the use of children in illicit activities. (1) Has approximately 300 child protection officers based in the districts who are tasked with preventing child exploitation and protecting victims. (1,33) In 2020, held an event focused on developing a 5-year action plan to implement the National Child Protection Policy, and published the new action plan. (36,37)
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. (7) During the reporting period, launched the National Alternative Care Policy, which includes a section addressing child victims of sexual exploitation and harmful child labor. (2)

Several ministries, departments, and agencies have legal authority for the enforcement of criminal laws against child labor. The National Child Protection Authority (NCPA), the Criminal Investigations Department of the Sri Lankan Police, and the Attorney General's Department are responsible for the enforcement of criminal laws against child trafficking and forced child labor. (1)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Sri Lanka took actions to combat child labor (Table 6). However, gaps exist within the authority of enforcement agencies that may hinder adequate enforcement of their child labor laws, 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	2019	2020
Labor Inspectorate Funding	\$2,110,932 (1)	\$2,194,101 (2)
Number of Labor Inspectors	494 (2)	588 (2)
Inspectorate Authorized to Assess Penalties	No (1)	No (26)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (2)
Training on New Laws Related to Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (2)
Number of Labor Inspections Conducted	66,170 (2)	44,439 (2)
Number Conducted at Worksites	64,851 (1)	41,374 (2)
Number of Child Labor Violations Found	10 (1)	6 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	8 (1)	6 (2)
Number of Child Labor Penalties Imposed that Were Collected	8 (1)	6 (2)
Routine Inspections Conducted	Yes (1)	Yes (2)
Routine Inspections Targeted	Yes (1)	Yes (2)
Unannounced Inspections Permitted	Yes (26)	Yes (26)
Unannounced Inspections Conducted	Yes (1)	Yes (2)
Complaint Mechanism Exists	Yes (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1)	Yes (2)

In 2020, Sri Lanka increased the number of labor inspectors from 494 to 588, and 6 labor inspectors are dedicated to inspecting child labor. (2) The number of labor inspectors is sufficient for the size of Sri Lanka's workforce, according to ILO's technical advice and the Sri Lanka Department of Labor. The Department of Labor removed five children from situations of child labor and hazardous child labor during 2020. (2) However, reports indicate that the labor inspectorate did not have sufficient staffing to carry out inspections, especially inspections of factories in the northern and eastern provinces. (1)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Sri Lanka took actions to combat child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of their child labor laws, including the lack of information regarding violations found.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (1)	Yes (32)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (1)	N/A (2)
Refresher Courses Provided	Yes (1)	Yes (2)
Number of Investigations	7 (1)	Unknown (2)
Number of Violations Found	Unknown (1)	Unknown (2)
Number of Prosecutions Initiated	Unknown (1)	6 (2)
Number of Convictions	Unknown (1)	2 (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Yes (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (1)	Yes (2)

The government did not provide information on the total number of violations related to the worst forms of child labor for inclusion in this report. However, during the reporting period, the government did provide information on the number of prosecutions initiated, convictions, and penalties for violations related to the worst forms of child labor. (2,24)

Research found that investigators did not have adequate facilities or human resources to carry out investigations. Investigators lack transportation facilities, and the Sri Lankan Police lack facilities to record evidence. (1,2,38) Although the government publishes some crime statistics, the Sri Lankan Police do not fully disaggregate criminal data, including cases investigated specific to forced child labor, child trafficking, child commercial sexual exploitation, and the use of children in illicit activities. (1,2,32,39,40)

In 2020, six new cases involving the sexual exploitation of children were reported. In addition, a case of alleged sexual exploitation of children at a state-run orphanage in Anuradhapura gained media attention during the reporting period. According to NGO reports, police arrested the head of this orphanage and one of its staff members, and launched criminal investigations into two provincial officials with oversight of state-run orphanages. (24) However, research indicates some victims of child trafficking or commercial sexual exploitation may be penalized for prostitution and other offenses rather than treated as victims. (23)

## **IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR**

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



## MODERATE ADVANCEMENT

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor Elimination	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 Ministry of Labor; includes representatives from key government agencies, employer and workers' organizations, ILO, UNICEF, and NGOs. (1) In 2020, met once in September; the first technical working group meeting took place in November 2020. During the reporting period, designed a national communications strategy on the elimination of child labor and a COVID-19 pandemic Child Vulnerability Survey. (2)
National Child Protection Authority (NCPA)	Coordinates and monitors activities related to the protection of children, including activities to combat child labor. Consults with relevant government ministries, local governments, employers, and NGOs, and recommends policies and actions to prevent and protect children from abuse and exploitation. (2) In 2020, referred 116 child labor complaints received via its hotline to the Department of Labor. (24)
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, Department of Labor, NCPA, Department of Probation and Child Care, Police Criminal Division, and Bureau for the Prevention of Abuse to Women and Children. (41) During the reporting period, completed the National Strategic Plan to Monitor and Combat Human Trafficking (2021–2025). (2)
Child Development Committees	Coordinate activities and exchange information among child protection officers, police, and labor, education, and health officials at the village, division, and district levels. Function in 25 districts and 313 divisions. (7) During the reporting period, the committees continued to meet. (2)

The government reported improved inter-agency coordination during the reporting period. The Department of Labor launched an awareness campaign among public institutions involved in various sectors, and trained regional managers of the Department of Fisheries on labor law related to children and young persons below the age of 18 years. (2) In 2020, the government also engaged with the ILO and other international donors to eliminate child labor and to understand the impact the COVID-19 pandemic would have on children. (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 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. (42) Research was unable to determine whether activities were undertaken to implement the National Policy on Elimination of Child Labor during the reporting period. (2)
National Child Protection Policy	Established by NCPA as a measure to reduce child sex tourism in Sri Lanka. (1,2) Research was unable to determine whether activities were undertaken to implement the National Child Protection Policy during the reporting period.
National Strategic Plan to Monitor and Combat Human Trafficking (2021–2025)†	Seeks to combat human trafficking by raising stakeholder awareness, improving victim protection services, increasing the prosecution of human trafficking cases, and conducting research and data collection. Also seeks to improve coordination among the Anti-Trafficking Task Force members. (43) Completed during the reporting period. (24)
Decent Work Country Program (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 operationalizing the child labor-free zone model in all districts, expanding the inspection system to cover child labor in the informal sector, raising the minimum age for employment to 16 years, revising regulations on hazardous child labor, improving the complaints and referral mechanisms, and regularly collecting data on child labor. (44) In February 2020, the task force held its sixth annual meeting in Jaffna. (45)
National Alternative Care Policy†	Launched during the reporting period by the Department of Probation and Child Care Services. Includes a section addressing child victims of sexual exploitation or harmful child labor. (2)

† The 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. (2,7,46)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
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 Department of Labor and with technical and financial support from ILO. (1) The program's start was postponed during the reporting period, and it is scheduled to be introduced in 2021. (2)
School Child Protection Committees	Preventive program established by NCPA to empower children to protect themselves from trafficking and child labor. (1) According to some reports, although 3,165 committees have been set up, only 2,392 committees are presently active. (47,48) Research was unable to determine whether activities were undertaken to implement the School Child Protection Program during the reporting period.
'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. (2,49) In 2020, the hotline continued to run, and was launched as an app, but there are reports it was not always staffed. The hotline received 119 reports of child trafficking during the reporting period, and referred 116 of those complaints to the Department of Labor, but no victims or potential human trafficking cases were identified from these allegations. (2,24)
Shelter for Victims of Human Trafficking	Ministry of Women and Child Affairs shelter that provides children and female victims of human trafficking with safe shelter and access to medical, psychological, and legal assistance. (24,42) During the reporting period, shelters for female trafficking victims were closed due to lack of usage, but the Ministry made space available for trafficking victims within a shelter for female victims of domestic violence. Use of the government-funded shelter required a magistrate's order, so human trafficking victims who did not seek court assistance could not obtain shelter. (3)
Cash Transfer Program*	Implemented during the reporting period, cash transfers were disbursed to 70 percent of families who have lost their income due to the pandemic. The financial assistance may reduce the risk of child labor for children in these families. (2)
Measurement, Awareness-Raising, and Policy Engagement (MAP16) Project on Child Labor and Forced Labor*	\$220,000 USDOL-funded project implemented by ILO that aims 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. The project began in March 2020 and is expected to last 18 months. Additional information is available on the USDOL <a href="#">website</a> . (2,50,51)

\* Program was launched during the reporting period.

† Program is funded by the Government of Sri Lanka.

‡ The government had other programs that may have addressed child labor issues or had an impact on child labor. (1)

In 2020, the Department of Labor also distributed 1,500 handbooks on "Hazardous Child Labor," translated into Tamil, to children and other stakeholders in the Northern, Eastern, and Central provinces. (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 Sri Lanka (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 to children are comprehensive, including domestic work.	2017 – 2020
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2015 – 2020
	Collect and publish information on labor law enforcement actions, including initial training for new labor inspectors.	2014 – 2020
	Collect and publish disaggregated information on the number of investigations and violations related to the worst forms of child labor.	2020

## MODERATE ADVANCEMENT

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Provide investigators with additional funding and adequate facilities, including transportation and facilities to record evidence, and human resources to adequately investigate forced labor, child trafficking, and the commercial sexual exploitation of children.	2011 – 2020
	Provide adequate staffing in the northern and eastern provinces for the labor inspectorate to carry out inspections.	2019 – 2020
	Ensure that victims of child trafficking or commercial sexual exploitation are not punished for their involvement in child labor.	2019 – 2020
Government Policies	Publish activities undertaken to implement key policies related to child labor during the reporting period.	2020
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 – 2020
	Eliminate barriers to education, including difficulties with transportation to schools and an inadequate number of teachers.	2012 – 2020
	Institute programs to address the risks of child labor in tea estates and in coastal, agricultural, mining, and firewood-producing areas.	2019 – 2020
	Ensure that activities are undertaken to implement social programs to address child labor.	2020

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In 2020, Suriname made minimal advancement in efforts to eliminate the worst forms of child labor. The government drafted and approved a new National Action Plan for the Prevention and Response to Trafficking in Persons. It also hired 20 new labor inspectors, increasing the size of the Labor Inspectorate from 50 to 70. However, children in Suriname are subjected to 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. 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 vulnerable to labor exploitation. Suriname also lacked targeted inspections in risk-prone sectors.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Suriname are subjected to 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	7.2 (Unavailable)
Attending School (%)	5 to 14	95.3
Combining Work and School (%)	7 to 14	7.3
Primary Completion Rate (%)		85.9

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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‡ (2-4) Fishing, hunting, and forestry (7,8)
Industry	Mining, particularly gold mining (1-4,7) Construction,† including carrying heavy loads‡ (2-4,8) Wood processing, including carrying heavy loads‡ (2,3)
Services	Street work, including vending (2,8) Domestic work (7,8)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,4,7,9)

† 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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Throughout the coastal areas of Suriname, children work in agriculture, and in the capital of Paramaribo, they primarily engage in street vending. In addition, children, mostly boys, work carrying heavy loads in small-scale gold mines in the southeast region of the country, where they risk exposure to mercury and cyanide, excessive noise, extreme heat, and collapsing sand walls. (1-3,10,11) Children have also been reported working in small-scale construction and wood processing companies outside Paramaribo. (2,3) Moreover, children are subjected to commercial sexual exploitation, sometimes as a result of human trafficking, including in informal mining camps in Suriname's remote interior. (3,4,7,10,11)

Although Suriname's net attendance percentage for primary school is 95 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. (1,2,12,13) There were reports that some children were denied access to schools due to incomplete documentation. (3) The COVID-19 pandemic has made access to education more complicated for low-income families. Limitations to in-person school access have forced students into partial home schooling when schools are open and into full home schooling under more restrictive lockdown measures. (3)

## 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	✓

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)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 9 of the Conscription 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)

Article 20 of the Law on Basic Education requires children to attend school until they are at least age 12. (20) 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 but do receive free public education if they provide a birth certificate and vaccination records. (1,17,22,23)

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 enforcement agencies 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. (11) Reports suspected forced labor cases, including the worst forms of child labor, within 45 minutes of identification, to the Trafficking in Persons Unit of the Suriname Police Force. (2)
Suriname Police Force	Enforces criminal laws related to child labor. (11) Includes the Youth Affairs Police, who cover law enforcement involving children under age 18 and are jointly responsible for child labor-related crimes. Also includes the Trafficking in Persons Unit, which investigates reports and allegations of human trafficking and forced sexual exploitation nationwide, including cases involving children. (2,3,9)
Prosecutor's Office	Investigates and prosecutes human trafficking cases, and enforces criminal laws related to the worst forms of child labor. (2)

#### **Labor Law Enforcement**

In 2020, 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.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	50 (2)	70 (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)	N/A (3)
Refresher Courses Provided	No (2)	Yes (3)
Number of Labor Inspections Conducted	834 (2)	400 (3)
Number Conducted at Worksite	0 (2)	400‡ (3)
Number of Child Labor Violations Found	3 (2)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	2 (2)	0 (3)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	2 (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 August 2020 to December 2020. Data from January 2020 to July 2020 is unknown.

In 2020, as part of a reorganization of the labor inspectorate, a new head was appointed and 20 new inspectors were hired. (3) During the reporting period, as part of the government's efforts to implement the established pandemic protocols for various sectors, the Labor Inspectorate was placed at the head of a pandemic Cluster Team that increased inspections of businesses in different sectors. The pandemic Cluster Team is an inter-ministerial team with representatives of the Ministries of Labor, Health, Justice and Police, Regional Development and Sport, and Defense. (3) This change provided the Labor Inspectorate with the capacity to increase its general inspections for labor law violations as well. (3)

Although the exact number of inspections during the first of half of 2020 is unknown, 400 inspections were conducted between August and December, the majority of which were part of the government's effort to monitor adherence to the pandemic protocols for different sectors of the economy. (3) Labor inspections are mainly conducted near coastal areas. The Ministry of Labor noted that there is an insufficient number of labor inspectors to ensure the enforcement of labor laws in the informal sector, particularly in mining and agricultural areas, fisheries, and the country's interior. (1, 11, 21, 24) However, all labor inspectors are trained and authorized to enforce child labor laws. (2, 3, 10) In 2020, all inspectors took part in a presentation on the Children and Young Persons Labor Act presented by the legal team of the Ministry of Labor. Members of the Labor Inspectorate also took part in virtual training sessions on human trafficking hosted by the Office to Monitor and Combat Trafficking in Persons of the USDOS in collaboration with the USDOJ. (3)

Although the Ministry of Labor does not provide disaggregated funding information, the Labor Inspectorate reported 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. (3, 10)

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (2)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (2)	N/A (3)
Refresher Courses Provided	Yes (2)	Yes (3)
Number of Investigations	2 (25)	0 (3)
Number of Violations Found	Unknown	0 (3)
Number of Prosecutions Initiated	0	0 (3)
Number of Convictions	Unknown	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (3)

Suriname's referral system, managed by the Bureau for the Rights of the Child of the Ministry of Social Affairs, was developed in collaboration with UNICEF in 2019 and is still in pilot phase. (3) The referral mechanism aims to address violations of children's rights by not only working toward the removal of children from exploitative situations, but also by seeking solutions to the root causes of their exploitation. (2,3)

The number of investigators is insufficient to respond to human trafficking cases, and, according to the Prosecutor's Office, investigations are initiated primarily as a result of complaints filed and are limited by a lack of resources, especially for travel to the interior of the country, which was only made worse by the pandemic. (3, 11, 24, 26) Suriname has a mechanism for the referral of victims for social services. In addition, the Bureau for Victim Services within the Ministry of Justice and Police provides counseling, the Bureau for Legal Services can provide a victim with legal assistance, and other services are arranged by the Trafficking in Persons Unit of the police. (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
National Commission on Combating Child Labor	Serves as the leading body in drafting child labor policies. (10) Coordinates and monitors efforts to combat child labor, including the execution of the National Action Plan to Combat Child Labor. Also coordinates with the Integrated Child Protection Network to maximize awareness-raising efforts. (2) Due to the COVID-19 pandemic, the National Commission on Combating Child Labor was unable to execute its planned activities from the National Action Plan to Combat Child Labor, which would have been in-person awareness-raising activities throughout the country. Remained active on social media in 2020, continuously posting information on child labor. (3)
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) Comprises nine government agencies, including organizations that target the worst forms of child labor. (11) Was temporarily disbanded when a new government took office in July 2020. During the reporting period, drafted an action plan for 2020–2021, which was approved by the Ministry of Justice and Police. (3)
Integrated Child Protection Network	Prevents child abuse, neglect, and exploitation, including child labor. (11) Is 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. (11) In 2020, received post-evaluation recommendations on the National Referral System, which it developed with UNICEF and which is currently in its pilot phase. Held an informational session for members of the National Assembly as well as representatives of different political parties, and launched its website. (3)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

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

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Child Labor (2019–2024)	Aims to combat child labor by removing children from child labor and by addressing issues that lead children to become involved in child labor, including poverty and lack of educational opportunities. Also addresses the social and educational reintegration of these children. (2) In 2020, the commission implementing the plan postponed its planned in-person awareness activities throughout the country, but continued to regularly post information on child labor issues on social media. (3)
National Action Plan for the Prevention and Response to Trafficking in Persons (2020–2021)†	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. (27) In 2020, the plan was updated and approved. Follows the 2019 plan closely in its policies and accompanying actions. (3)

† Policy was approved during the reporting period.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Decent Work Program	ILO program that supports capacity building of the Labor Inspectorate and constituents, as well as of the National Commission for the Elimination of Child Labor for implementation, and the monitoring and evaluation of the National Action Plan. Aims to have trained inspectors to cover all areas in Suriname by 2020. (28) Provided in-depth training from ILO to the Labor Inspectorate, though the majority of training scheduled in 2020 was postponed and still needs to be rescheduled. (3,29)
Child and Youth Hotline†	Government-run hotline that provides confidential advice to children in need, including victims of the worst forms of child labor. Receives approximately 80 calls per day. (30) Reported to be active in 2020. (3)
Anti-Trafficking Hotline†	Government-sponsored hotline through which citizens can provide information to the police about human trafficking cases. (2) Reported to be active in 2020. (3)
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. (31) Reported to be active in 2020. (3)
Regional Initiative Latin America and the Caribbean Free of Child Labor	With support from the Cooperation Agency of Brazil and ILO, assists Caribbean countries, including Suriname, to improve youth transition from school to work. In October 2020, held a virtual conference to discuss plans for 2022–2025, updated its governance mechanisms, and worked to improve ownership and social dialogue. (32)

† 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. (11, 12, 33)

## 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 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
	Increase the compulsory education age to at least age 16, the minimum age for work.	2009 – 2020
	Ensure that all children, including children of foreign-born parents, have access to free public education.	2015 – 2020



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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the UN CRC Optional Protocol on Armed Conflict.	2020
Enforcement	Publish information on Labor Inspectorate funding.	2012 – 2020
	Ensure that the Labor Inspectorate is sufficiently funded to cover labor inspections in both the formal and informal sectors of the labor force.	2018 – 2020
	Strengthen the Labor Inspectorate by initiating targeted inspections based on the analysis of data related to risk-prone sectors, 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 – 2020
	Increase the number of investigators responding to human trafficking cases, and 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 – 2020
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 – 2020
	Strengthen social services and shelters to assist child victims of commercial sexual exploitation and human trafficking.	2014 – 2020
	Increase access to education by eliminating school-related fees, reducing transportation costs, increasing access to schools in remote locations, and removing requirements for documentation.	2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, The United Republic of Tanzania made minimal advancement in efforts to eliminate the worst forms of child labor. The Zanzibar Government increased funding of its labor inspectorate and hired an additional 16 labor inspectors. However, despite new initiatives to address child labor, Tanzania is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate 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 are subjected to the worst forms of child labor, including in mining, quarrying, and domestic work, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The Mainland Government did not publicly release information on its labor and criminal law enforcement efforts. 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 are subjected to the worst forms of child labor, including in mining, quarrying, and domestic work, each sometimes as a result of human trafficking. (1-3) Children also perform dangerous tasks in agriculture. (1,4) Table 1 provides key indicators on children's work and education in Mainland Tanzania.

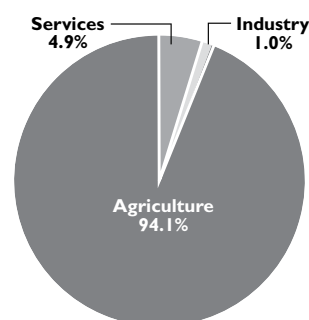
**Table 1. Statistics on Children's Work and Education**

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 (%)		68.0

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization's analysis of statistics from National Child Labour Survey (NCLS), 2014. (1,6)

**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	Plowing, weeding,† harvesting,† and processing of crops, including coffee, sugarcane, sisal, tea, tobacco, and cloves (1,4,7-10)
	Seaweed farming (10)
	Production of sugarcane (10)
	Livestock herding, including tending cattle (2,11,12)
	Fishing,† including for Nile perch (1-3,13)
Industry	Quarrying† stone and breaking rocks to produce gravel (1,14,15)
	Mining,† including gold and tanzanite, and using mercury (1-3,5,16-20)
Services	Domestic work, including child care, cooking, and washing† (1-3,21,22)
	Garbage collecting† (4,23,24)
	Street work, including vending,† shoe shining, small business, and scavenging† (11,12,25,26)
	Work in bars† (11)

**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 (2,7,26,27)
	Forced begging (11,28)
	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 (2,3,11,27,29)

† 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.

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 with education, better living conditions, or employment. (2,30) Parents, particularly from poor and rural households, entrust their children to the care of wealthy relatives and community leaders who sometimes coerce the children to perform domestic work. (2) 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. (2) Although trafficking of children primarily occurs within Tanzania, children from Burundi and Rwanda are brought into Tanzania for forced labor. (2,31) According to reports, Burundian refugee children living in Tanzania are increasingly vulnerable to exploitation, including commercial sexual exploitation, sometimes as result of human trafficking, and for work on farms in western Tanzania. (30,32,33) Research also indicates that commercial sexual exploitation of children, particularly girls, has increased in Tanzania, resulting from school closures and lockdowns during the COVID-19 pandemic. There are also rising instances of online-based forms of sexual exploitation. (3)

Children working in mining are exposed to many hazards, such as mercury poisoning and being trapped when tunnels collapse, especially in smaller unlicensed operations. (19,20,34,35) A 2019 report identified children grinding and pounding rock for production of gravel in Pemba. The children working at these sites were using dangerous tools and exposed to being hit by rock fragments. (15) The Mainland 2019 Statistics Act restricts the sharing of government-collected data and information with people and organizations, including information related to children’s protection and child labor. (3,36)




Schools, particularly in rural areas, lack adequate teachers, classrooms, food, and sanitation facilities. Families are often required to financially contribute to offset these deficits and pay for costs of uniforms, books, and other school materials. (3,37) In addition, schools often lack resources for children with disabilities or learning disorders, resulting in many of these students dropping out and becoming vulnerable to child labor. (3,38) A practice that contributes to children being left out of the formal education system derives from Mainland Tanzania’s Education Act, which allows school officials to conduct medical examinations on students; school administrators apply this law in combination with the Mainland’s Education Regulations, which allow for the expulsion of students for moral offenses, to compel female students to undergo pregnancy tests and expel them if they are pregnant. Pregnant girls excluded from the school system have increased vulnerability to the worst forms of child labor. (39-45) Senior government officials, including the late President, have explicitly expressed support for this practice. (3,44,46) In early 2021, the government indicated that expelled girls could return to school, but only if they passed either Form 2 or Form 4 national exams, which they must take independently, without the support of a school. (47) To date, schools continue the practice of expelling girls who become pregnant. (3,43-45)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

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

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE 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	✓

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 and the compulsory education age.

**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 (48,49)
	Zanzibar	No	15	Article 6 of the Zanzibar Employment Act; Articles 2 and 98 of the Zanzibar Children's Act (50,51)
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 (48,49)
	Zanzibar	Yes	18	Articles 8 and 9 of the Zanzibar Employment Act; Article 100 of the Zanzibar Children's Act (50,51)
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 (34,48,49)
	Zanzibar	Yes		Article 100 of the Zanzibar Children's Act (51)
Prohibition of Forced Labor	Mainland	Yes		Article 6 of the Employment and Labor Relations Act; Article 80 of the Law of the Child Act; Article 25 of the Constitution; Article 4 of the Anti-Trafficking in Persons Act (48,49,52,53)
	Zanzibar	Yes		Article 7 of the Zanzibar Employment Act; Article 102 of the Zanzibar Children's Act (50,51)
Prohibition of Child Trafficking	Mainland	Yes		Article 4 of the Anti-Trafficking in Persons Act (53)
	Zanzibar	Yes		Articles 6 and 7 of the Zanzibar Employment Act; Article 106 of the Zanzibar Children's Act (50,51)
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 (53,54)
	Zanzibar	Yes		Article 155 of the Penal Decree Act of Zanzibar; Article 110 of the Zanzibar Children's Act (51,55)
Prohibition of Using Children in Illicit Activities	Mainland	No		
	Zanzibar	Yes		Article 7.2.c of the Zanzibar Employment Act (50)
Minimum Age for Voluntary State Military Recruitment		Yes	18	Article 29 of the National Defense Act (56)
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	No	13	Article 35 of the National Education Act (57)
	Zanzibar	No	13	Section 19 of Education Act (39,58)
Free Public Education	Mainland	No		
	Zanzibar	Yes		Section 59 of the Zanzibar Education Act (39,58)

\* No conscription (56)

# Tanzania

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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. (11,52) 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. (48,50,51) 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. (34,48,49,59) In addition, Mainland Tanzania does not clearly provide penalties for using children for illicit activities, including in the production and trafficking of drugs.

Although Zanzibar has a policy establishing compulsory education through the age of 15, this standard has not been put into law; the Education Act stipulates a compulsory education age of 13, which is below the minimum age for work. (39,58) In the Mainland, there is no free basic education for children as established by law and the compulsory education age is below the minimum age of work, increasing the risk of children’s involvement in child labor. (57)

### 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 enforcement agencies 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, Community Development, Gender, Elderly, and Children. (11) 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. (60)
Ministry of Health, Community Development, Gender, Elderly, 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. (11) Promotes community development, gender equality, and children’s rights by formulating policies, strategies, and guidelines in collaboration with stakeholders. (60)
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. (60)
Zanzibar Labor Commission	Zanzibar	Ensures compliance with child protection and child labor laws, including inspections, through its Child Protection Unit. (60) Located within the Zanzibar President’s Office of Economy and Investment, investigates child labor cases reported by the police and refers cases to social welfare officers. In 2020, the Zanzibar Labor Commission was moved from the Ministry of Empowerment, Adults, Youth, Women and Children to the President’s Office of Economy and Investment. (3)
Ministry of Health	Zanzibar	Enforces anti-trafficking laws, including cases of child trafficking. (60)
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. (11,60,61)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Tanzania took actions to combat child labor (Table 6). However, gaps exist within the authority and operations of the labor ministries that may hinder adequate labor law enforcement, including authority to assess penalties and publicly available enforcement data.



## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	Related Entity	2019	2020
Labor Inspectorate Funding	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	\$7,180 (11)	\$20,171 (3)
Number of Labor Inspectors	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	11 (11)	27 (3)
Inspectorate Authorized to Assess Penalties	Mainland	No (3,48,62)	No (3,48,62)
	Zanzibar	No (50)	No (50)
Initial Training for New Labor Inspectors	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	No (11)	No (3)
Training on New Laws Related to Child Labor	Mainland	N/A (11)	N/A (3)
Training on New Laws Related to Child Labor	Zanzibar	N/A (11)	N/A (3)
Refresher Courses Provided	Mainland	Unknown (11)	Yes (63)
Refresher Courses Provided	Zanzibar	No (11)	No (3)
Number of Labor Inspections Conducted	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	500 (11)	339 (3)
Number Conducted at Worksites	Mainland	Unknown (11)	Unknown (3)
Number Conducted at Worksites	Zanzibar	500 (11)	339 (3)
Number of Child Labor Violations Found	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	0 (11)	0 (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Mainland	Unknown (11)	Unknown (3)
Number of Child Labor Violations for Which Penalties Were Imposed	Zanzibar	N/A (11)	N/A (3)
Number of Child Labor Penalties Imposed that Were Collected	Mainland	Unknown (11)	Unknown (3)
Number of Child Labor Penalties Imposed that Were Collected	Zanzibar	0 (11)	N/A (3)
Routine Inspections Conducted	Mainland	Yes (11)	Yes (3)
	Zanzibar	Yes (11)	Yes (3)
Routine Inspections Targeted	Mainland	Yes (11)	Yes (3)
Routine Inspections Targeted	Zanzibar	Yes (11)	Yes (3)
Unannounced Inspections Permitted	Mainland	Yes (62)	Yes (62)
	Zanzibar	Yes (50)	Yes (50)
Unannounced Inspections Conducted	Mainland	Yes (11)	Yes (3)
Unannounced Inspections Conducted	Zanzibar	Yes (11)	Yes (3)
Complaint Mechanism Exists	Mainland and Zanzibar	Yes (11)	Yes (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Mainland	Yes (11)	Yes (3)
	Zanzibar	Yes (11)	Yes (3)

The Mainland Government did not provide information on labor enforcement efforts for inclusion in this report. (11) Despite regulations in both the Mainland and Zanzibar 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. An international organization reports there to be only 73 labor inspectors in the Mainland, although the Mainland government has not provided information on the size of its labor inspectorate. (64,65) While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in least developed economies, Tanzania would need to employ roughly 622 labor inspectors as its workforce consists of over 25 million workers. (3,7,64-66) During the reporting period, the Government of Zanzibar increased the funding of the labor inspectorate to \$20,181 from its previous allocation of \$7,180 in 2019, while hiring an additional 16 labor inspectors; the labor inspectorate, however, lacks sufficient personnel, office facilities, transportation and fuel, and other resources to adequately enforce child labor laws. (3) Although figures on the Mainland labor inspectorate funding remain unavailable, NGOs have noted that labor enforcement efforts would benefit from additional funding and increased numbers of inspections. (60) As the law in Zanzibar treats child labor as a criminal offense, labor inspectorates may initiate prosecutions for violations related to child labor. (50)

# Tanzania

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

### Criminal Law Enforcement

In 2020, 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	Related Entity	2019	2020
Initial Training for New Criminal Investigators	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	No (11)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	Mainland	N/A (11)	N/A (3)
	Zanzibar	No (11)	N/A (3)
Refresher Courses Provided	Mainland	Unknown (11)	Unknown (3)
	Zanzibar	No (11)	Yes (63)
Number of Investigations	Mainland	2 (30)	Unknown (3)
	Zanzibar	0 (11)	0 (3)
Number of Violations Found	Mainland	5 (30)	Unknown (3)
	Zanzibar	0 (11)	0 (3)
Number of Prosecutions Initiated	Mainland	2 (30)	Unknown (3)
	Zanzibar	0 (11)	N/A (3)
Number of Convictions	Mainland	2 (30)	Unknown (3)
	Zanzibar	0 (11)	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Mainland	Yes (30)	Unknown (3)
	Zanzibar	Unknown (11)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Mainland	Yes (11)	Yes (3)
	Zanzibar	Yes (11)	Yes (3)

The Mainland Government did not provide information on criminal law enforcement efforts related to the worst forms of child labor in 2020. In January 2021, however, Mainland criminal law investigators arrested and initiated prosecutions against 15 individuals accused of trafficking disabled children for forced begging. (3,28) An NGO operates a child abuse hotline and reported 49 complaints of child labor to government authorities in 2020; however, research could not determine whether the government conducted investigations in response to these complaints. (3) During the reporting period, police coordinated with social welfare officers, immigration officials, and local NGOs to identify and provide reintegration support to 56 street 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 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 existing laws, regulations, and strategies related to children's issues, including the National Action Plan on the Elimination of Child Labor. Evaluates curriculum and programs, identifies gaps, and suggests strategies to resolve barriers to accessing education. (4,67) Research was unable to determine whether the National Education Task Force on Child Labor was active during the reporting period. (3)
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. (60) Chaired by Zanzibar's Ministry of Empowerment, Adults, Youth, Women and Children. (64) Research was unable to determine whether the Child Labor Steering Committee was active during the reporting period. (3)

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Coordinating Body	Related Entity	Role & Description
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. (61,68) Operates the NPA-VAWC National Protection Technical Committee and Thematic Working Groups at the national level. (60,61) Research was unable to determine whether the National Protection Steering Committee was active during the reporting period. (3)
National Anti-Trafficking Committee (ATC)	Mainland and Zanzibar	Promotes, defines, and coordinates policy to prevent human trafficking through engagement with local NGOs. (53,68) Chaired by the National Anti-Trafficking Secretariat within the Ministry of Home Affairs, includes representatives from the Prime Minister's Office for Policy, Parliamentary Affairs, Labor, Employment, Youth, and the Disabled. (64) The ATC met once in June 2020, and engaged in awareness-raising campaigns around the UN World Day Against Trafficking in Persons. (28)

**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	Related Entity	Description
National Strategy on Elimination of Child Labor (2018–2022)	Mainland and Zanzibar	Coordinates prevention and responses to the worst forms of child labor at the national level. (69) The government, with the support of the ILO, drafted the National Strategy on Elimination of Child Labor in 2018, but has not launched or taken measures to operationalize the policy. (3)
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. (61) Details responsible agencies to address multiple challenges, including education and poverty reduction. (60) The government has not taken measures to launch or operationalize the National Plan of Action to End Violence Against Women and Children in Tanzania. (63)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (58,60,68,70)

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. (71,72) The Mainland Government, however, regulates access to secondary education through the Primary School Leaving Examination. Students who do not pass the exam do not have an opportunity to re-take the exam and must drop out of public school at the end of compulsory education at age 14. (68) Despite the government's stated intention to phase out the exam by 2021, there is no evidence of government efforts or preparations to do so. (40,68,73) Since 2006, the Zanzibar Government has administered education under the Zanzibar Education Policy, which establishes compulsory education through Form 4 (approximately age 15). (58,74) However, research indicates that implementation of this policy has been slow due to limited resources for schools. The government, moreover, has not included child labor elimination and prevention strategies into the Education Policy. (58) 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. (75,76)

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2020, 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.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Tanzania Social Action Fund Conditional Cash Transfer Program†	Government-funded conditional cash transfer program to provide financial assistance to vulnerable populations, including children. During 2020, Tanzania's Government launched the third phase of the Tanzania Social Action Fund Conditional Cash Transfer Program to benefit families living in extreme poverty. (3) The total program funding will be \$870 million, of which \$446 million is funded by the government through a World Bank loan; the remaining amount will be paid for through donor funding. (3)
Promoting Sustainable Practices to Eradicate Child Labor in Tobacco (PROSPER) Umoja (Unity) (2018–2020)	\$900,000 extension project of PROSPER Plus, implemented by Winrock International, the Tanzania Association of Women Leaders in Agriculture and the Environment, and the Tabora Development Foundation Trust, with funding from the Eliminating Child Labor in Tobacco Growing (ECLT) Foundation. Aimed to bring together public and private sectors to reduce child labor nationwide, focusing in Kaliua, Sikonge, Tabora, and Urambo. (7,60,77) The Prosper Program concluded in early 2020; however, ECLT launched an extension of its tobacco-sector programming called Rural Enterprise Support to Eliminate Child Labor in Tanzania. (3)
Eradicating the Worst Forms of Labor in the Eight Mining Wards of the Geita District, Phase 2 (2015–2022)	\$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. (7,78) Cumulative figures report that the project provided awareness-raising messages to 5,500 small-scale unregistered miners and supported the removal of 5,472 children from the worst forms of child labor, reintegrating removed children into schools. (11) In 2020, the program received an extension to continue the program in Geita through 2022. (3)
Decent Work Country Program (2017–2020)	ILO-supported program that aimed to promote job creation, workers' rights, social protection, and social dialogue. In 2020, the ILO worked to advance decent work deficits in the tobacco sector, including child labor, with programming in the Tabora and Urambo districts. (3,60,78) The program, however, concluded in August 2020, as a result of lack of funding. (3)

† 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. (60)

In response to rising cases of sexual exploitation of children and youths during the pandemic, the government partnered with a local NGO in an awareness campaign with information on issues of sexual exploitation and sexual abuse. (3)

An evaluation of Tanzania's Conditional Cash Transfer Program found that it had achieved little reduction of child labor, as the work of children only shifted from outside to inside the household. Furthermore, the program had not achieved reductions in excessive working hours and engagement in hazardous activities among children. (80)

The scope of government-funded social programs is inadequate in that it does not cover construction, mining and quarrying, 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 all children, including those engaged in domestic work.	2013 – 2020
	Mainland	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 – 2020
	Mainland	Criminalize the use of children in illicit activities, particularly in producing and trafficking drugs.	2012 – 2020
	Mainland and Zanzibar	Criminalize the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Mainland and Zanzibar	Establish by law a compulsory age for education, which leaves no gap between the age of compulsory education and minimum age for work.	2017 – 2020
	Mainland	Establish by law free basic public education.	2016 – 2020

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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

Area	Related Entity	Suggested Action	Year(s) Suggested
Enforcement	Mainland	Authorize Mainland Tanzania and Zanzibar labor inspectorates to assess penalties.	2017 – 2020
	Zanzibar	Institutionalize training for labor inspectors, including training new labor inspectors at the beginning of their employment and refresher courses.	2019 – 2020
	Mainland	Publish information on child labor law enforcement efforts.	2011 – 2020
	Mainland and Zanzibar	Ensure the appointment of a dedicated labor officer for each region, and publish this information.	2013 – 2020
	Mainland and Zanzibar	Increase the number of labor inspectors to meet ILO's technical advice.	2013 – 2020
	Mainland and Zanzibar	Provide sufficient funding to ensure adequate enforcement of labor laws.	2013 – 2020
	Zanzibar	Institutionalize training for criminal law enforcement investigators, including by training new investigators.	2019 – 2020
	Mainland	Publish information on criminal law enforcement efforts related to the worst forms of child labor.	2012 – 2020
Coordination	Mainland and Zanzibar	Ensure that coordinating committees are active and able to carry out their intended mandates.	2018 – 2020
Government Policies	Mainland and Zanzibar	Implement the National Strategy on Elimination of Child Labor.	2020
	Mainland and Zanzibar	Publish activities undertaken to implement the National Plan of Action to End Violence Against Women and Children in Tanzania during the reporting period.	2018 – 2020
	Mainland	Eliminate provisions in the Primary School Leaving Examination that are barriers to education, such as the no re-take policy.	2016 – 2020
	Zanzibar	Incorporate child labor prevention and elimination strategies, and ensure the full implementation of the Zanzibar Education Policy to limit dropouts.	2018 – 2020
Social Programs	Mainland	End legal restrictions that limit the sharing of information related to child labor.	2020
	Mainland and Zanzibar	Enhance efforts to eliminate barriers and make education accessible to all children in Tanzania by ensuring adequate resources for children with disabilities and learning disorders, increasing resources for teachers, classrooms, food, and sanitation facilities, while defraying informal costs imposed onto families, including school uniforms, books, and other learning materials.	2010 – 2020
	Mainland	Ensure that schools do not prohibit access to education for pregnant girls.	2017 – 2020
	Mainland and Zanzibar	Improve harmonization of child labor prevention and elimination measures into the Social Action Fund Conditional Cash Transfer Program to increase its effectiveness in preventing and eliminating child labor.	2020
	Mainland and Zanzibar	Integrate programs that include the construction, mining, quarrying, domestic service, fishing, and informal sectors to address children engaged in child labor.	2017 – 2020

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In 2020, Thailand made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government made its Thailand Internet Crimes Against Children Task Force into a permanent agency, and led the biggest and most successful online child sexual exploitation sting operations in Thailand. The government also collaborated closely with U.S. law enforcement agencies and other partners, leading to 97 arrests for the commercial sexual exploitation of children and the rescue of 43 children. In total, Thai police rescued 72 children from commercial sexual exploitation in 2020. In addition, the government enacted a law that sets the minimum age for workers employed as deep sea divers at 18 years old and proposed an amendment allowing teenage children of boat captains to intern only on their family's fishing boats. The government also piloted its first shelter to provide services specifically to LGBTQI+ victims. However, children in Thailand are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children, some as young as age 12, also participate for remuneration in Muay Thai competitions, an area of hazardous work in which there is evidence of serious head injuries. 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 for work because the law does not grant protections to children working outside of formal employment relationships.

Enforcement of child labor laws also remains a challenge due to an insufficient number of inspectors and resources to physically inspect remote workplaces in informal sectors.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Thailand are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children, some as young as age 12, also participate for remuneration in Muay Thai competitions, an area of hazardous work in which there is evidence of serious head injuries. (1-16) Table 1 provides key indicators on children's work and education in Thailand.

**Table 1. 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 (%)		94.4

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (17)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 3), 2005–2006. (18)

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	Processing shrimp and seafood† (4,19-21)
	Fishing, including work performed on sea vessels† (4,20,22,23)
	Planting and harvesting sugarcane (19,24-26)
	Production of rubber and pineapples (27)

# Thailand

## MODERATE ADVANCEMENT

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

Sector/Industry	Activity
Industry	Manufacturing, including garment production (4,28)
	Working in poultry factories, and working on pig farms (16,29)
	Construction, including transporting cement and bricks (4,16,19,30,31)
Services	Domestic work (27,32)
	Work in restaurants, motorcycle repair shops, and gas stations (4,16,19,33,34)
	Street work, including begging and vending (4,16,23,35,36)
	<i>Muay Thai</i> fighting (2-4,6-12,14,16,37,38)
Categorical Worst Forms of Child Labor†‡	Commercial sexual exploitation, including use in the production of pornography, sometimes as a result of human trafficking (1,4,5,23,32,33,39-42)
	Forced labor in vending, begging, and domestic work, each sometimes as a result of human trafficking (4,5,16,28,32)
	Forced labor in the production of garments, in agriculture, and in shrimp and seafood processing (4,40)
	Fishing, sometimes as a result of human trafficking (4,22,28,32,43)
	Use in the production and trafficking of drugs, including amphetamines, kratom, and marijuana (4,27,40)

† 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.

Thai children and 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 increasingly being individually lured by predators online through social media and private chat rooms, and being coerced to produce pornography and perform sexual acts. (4,5,23,32,33,39,44,45)

Incidents of child labor in the shrimp and seafood processing industry have decreased in recent years, but children, particularly migrants from the Greater Mekong Subregion, continue to engage in hazardous work in this industry. (4,20,21,32,43,46,47) Children engaged in shrimp and seafood processing work late hours cleaning and lifting heavy loads of seafood and experience health problems such as physical injuries and chronic diseases. (48) Similarly, children working in agriculture face health risks from lifting heavy loads, risk injury from operating dangerous machinery and using sharp equipment, and are exposed to pesticides, sun and heat, and long hours from very early in the morning until nighttime. (16,27) 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 work or working as caretakers for younger children or as housekeepers. (4,30,31,49) Based on NGO reporting and the fact that the Thailand Internet Crimes Against Children (TICAC) Task Force received a 121 percent increase in tips, there was an increase in the number of cases of online sexual exploitation of children, possibly due to the COVID-19 pandemic and students being out of school. (13,23) In response to this increase, the government made TICAC into a permanent agency in September 2020. During the reporting period, TICAC increased its efforts to combat and investigate online sexual exploitation of children. (13,23)

Children also participate in *Muay Thai* competitions, an area of work in which there is evidence of serious head injuries, including deteriorated nerve fibers around the brain stem and a fatal 2018 case of a brain hemorrhage for a 13-year-old boy participating in *Muay Thai*. Children receive remuneration in the form of prize money or wages, and research found that betting and illegal gambling on the outcome of children’s matches occurs often during *Muay Thai* competitions. (2,4,6,12,14,37) The Royal Thai Government began drafting its Boxing Act Amendment in 2018, but currently the draft amendment to add a minimum age requirement for *Muay Thai* is being considered by the Sport Committee at the House of Representatives. No changes were enacted to the Thai Boxing Act as of December 2020. (4,16,38,50-52)




Order No. 28/2559 of the National Council for Peace and Order ensures 15 years of free education for all children in Thailand. Language barriers cause some children, particularly migrants and ethnic minorities, to struggle to access basic education, as school applications are only available in Thai. (4,40,50,53) Although children without identity documents or a registered address cannot be denied enrollment in public schools, research

found that there is a lack of clarity among school officials regarding the type of documentation non-Thai students need to possess to enroll in school, which may be a barrier to education access. (4,54,55) The government published an Education Ministerial Proclamation and the Guideline on Enrollment of Non-Thai Children to help clarify the rules and regulations pertaining to enrollment of children in school. (29,56,57) In 2020, the Thai Government also conducted workshops on these guidelines to increase knowledge among school officials. (52) Children identifying as LGBTQI+ and those experiencing poverty, drug addiction, family problems, and teen pregnancy, may have additional barriers to education access due to increased harassment and bullying, which may increase their risk of dropping out of school and engaging in child labor. (58-60) Due to the pandemic, migrant schools were closed, which led many migrant students to seek jobs in the seafood industry. (61)

## 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) (62,63)
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 Home Workers Protection Act (62-65)
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 (62,66,67)
Prohibition of Forced Labor	Yes		Sections 312 and 312 bis of the Penal Code; Section 6/1 of the Anti-Trafficking in Persons Act (No. 3); Sections 1 and 2 of the Amendment of the Anti-Trafficking in Persons Act (68,69,70)
Prohibition of Child Trafficking	Yes		Sections 282–283 of the Penal Code; Section 6 of the Anti-Trafficking in Persons Act (No. 3) (68,69)
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; Section 26 of the Child Protection Act; Amendment to the Penal Code Act No. 24 (64,68,71,72,73)
Prohibition of Using Children in Illicit Activities	Yes		Section 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 (64,74-76)



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

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Section 25 of the Military Service Act (77)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 25 of the Military Service Act (77)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16	Section 17 of the National Education Act (78)
Free Public Education	Yes		Section 10 of the National Education Act (78)

During the reporting period, the Government of Thailand enacted the Implementation on Occupational Safety, Health and Working Environment for Diving Work 2020, an implementing regulation for Article 8, paragraph 1 of the Act on Occupational Safety, Health and Working Environment 2011. The new law, which came in to force July 19, 2020, sets the minimum age for workers employed in diving work at 18 years old. (16) The government also proposed an amendment that would allow owners of fishing boats to employ relatives as young as 16 as interns, even though Thailand has identified fishing on sea vessels as a form of hazardous labor. (15,79)

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 work is lower than the compulsory education age, some children may be encouraged to leave school before the completion of compulsory education. (62,63,78)

### 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 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. (27) Operates Hotline 1509 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. (4,50,80) During the reporting period, received 260 calls related to child labor violations, most of which were related to the employment of children under the minimum age for work. (16) In 2020, agency's labor inspectors filed charges against 10 enterprises for child labor law violations, specifically for employing 44 children under the minimum age for work. Also during the reporting period, began drafting a Ministerial Regulation on Fishery Worker Protection, which is under consideration by the Sub-Committee on the Scrutiny of Laws related to Fishery Sector and Fishery Works. (16)
Anti-Human Trafficking Units	The Anti-Trafficking in Persons 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 191 to receive complaints on human trafficking and violence against children. (80,81) 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 provincial human trafficking cases to improve the quality of prosecutions. (50,82,83) The Thailand Anti-Trafficking in Persons Task Force (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. (50,82,83) The Department of Special Investigation's (DSI) Bureau of Human Trafficking Crime is tasked with enforcing and investigating human trafficking cases. (4,49) In 2020, DSI and the Department of Provincial Administration held workshops to enhance capacity in suppressing and preventing child sexual exploitations and online human trafficking. (23) OAG, in collaboration with an NGO, also held a 3-day seminar on the process of prosecution of human trafficking and online child exploitation. Seminar participants helped develop a handbook for law enforcement officers and a Standard Operating Procedure that would form a basis for Memorandum of Understanding between agencies related to anti-human trafficking agencies. (23)

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

Organization/Agency	Role
Thailand Internet Crimes Against Children Task Force (TICAC)	Investigates and enforces laws against child trafficking and the online sexual exploitation of children, including the distribution and production of child pornography. (4,5,23,84) Comprises police officers, DSI agents, social workers, and selected NGO representatives. (4,29,49,82,83) In September 2020, was established as a permanent subdivision under the Cyber Crime Investigation Bureau, now also referred to as the Anti-Online Child Sexual Exploitation Subdivision. (84) While the task force previously consisted of an ad hoc group of officers from other divisions who also had other main responsibilities, the new subdivision has 17 dedicated officers. TICAC also collaborated closely with U.S. law enforcement agencies and other partners, leading to the rescue of over 43 children and 97 arrests. (84) In 2020, investigated 94 cases, and launched a nationwide cyber sting operation in response to the uptick in the number of online child exploitation cases, leading to 44 arrests and 9 search operations across 24 provinces, and uncovering over 150,000 files of child sexual abuse material involving over 100 children. This was the biggest and most successful operation to combat online child sexual exploitation in Thailand to date. (23,84,85) In total, Thai police rescued 72 children from commercial sexual exploitation in 2020. (16) In conjunction with the Human Trafficking Police Division, Office of the Attorney General, and Hug Project Foundation, organized a new project which provides training and information on how to prevent victimization and exploitation of children in the production and distribution of pornographic media. (16)
Ministry of Social Development and Human Security (MSDHS)	Enforces child protection laws through close collaboration with the RTP, DSI, DLPW, and the Ministry of Foreign Affairs; operates Hotline 1300, which receives human trafficking and child labor complaints. Operates 76 temporary shelters located in every province and 9 long-term shelters for human trafficking victims, including a shelter dedicated solely to boys. (4,5,32,64,86) In 2020, piloted its first shelter area that provides services dedicated specifically to LGBTQI+ victims. (23,84) During the reporting, the average length of victims' stays in shelters also decreased, from an average of 288 days to 158 in 2020, due to improving prosecution and reintegration processes. As of 2020, all shelters employed psychologists, provided victims with access to communication devices, and increased financial assistance and funds for personal expenses. (23,84)

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 and 19 Forward Inspection Points (FIP) along the coasts. These operations enforce laws related to fishing, forced labor, child labor, and human trafficking. (4,21,22,29,47,49)

During the reporting period, the government also set up a joint Thailand-U.S. task force as a platform for exchanging information and updates on Thailand's progress in combating trafficking in persons and discussing ways to further cooperate. The task force met twice in 2020. (84) TICAC, along with NGOs, private sector partners, and the Thai Media Fund, produced "The Leaked," a series of three short films to raise awareness among youth on the threat of online sexual exploitation, which was broadcast on social media, and received over 1.5 million views and 73,000 subscribers. (23)

### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Thailand took actions to combat child labor (Table 6). However, gaps exist within the operations of enforcement agencies 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	2019	2020
Labor Inspectorate Funding	\$992,428 (4)	\$1,135,774 (16)
Number of Labor Inspectors	1,813 (4)	1,889 (16)
Inspectorate Authorized to Assess Penalties	Yes (62)	Yes (62)
Initial Training for New Labor Inspectors	Yes (4)	Yes (16)
Training on New Laws Related to Child Labor	Yes (4)	Yes (16)
Refresher Courses Provided	Yes (4)	Yes (16)
Number of Labor Inspections Conducted	42,956 (4)	39,723 (16)
Number Conducted at Worksite	42,956 (4)	39,723 (16)
Number of Child Labor Violations Found	360 (4)	10 (16)
Number of Child Labor Violations for Which Penalties Were Imposed	65 (29)	10 (16)
Number of Child Labor Penalties Imposed that Were Collected	16 (29)	10 (16)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Yes (4)	Yes (16)
Routine Inspections Targeted	Yes (4)	Yes (16)
Unannounced Inspections Permitted	Yes (62)	Yes (62)
Unannounced Inspections Conducted	Yes (4)	Yes (16)
Complaint Mechanism Exists	Yes (4)	Yes (16)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (4)	Yes (16)

The number of labor inspectors is 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. (87,88)

The Thai Maritime Enforcement Command Center (Thai-MECC) has authority over the Command Center for Combating Illegal Fishing's (CCCIF) PIPO and FIP operations and the mandate to enforce Thai labor laws on fishing vessels—including stopping, searching, detaining, and arresting violators on vessels—within Thai waters or those fleeing to international waters. (4,5,16,29,80,89) The Department of Labor Protection and Welfare (DLPW) continued to use 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. (27,53) Although CCCIF and DLPW have made efforts to actively exchange information with NGOs, research indicated that 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. (27,50) Child labor inspections in informal sectors remain insufficient due to labor inspectors' inability to access remote work places and safety concerns for inspectors. Pandemic related restrictions on movements also inhibited inspections in the formal and informal sectors. (16)

### **Criminal Law Enforcement**

In 2020, 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 training for criminal investigators.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (4)	Yes (16)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (4)	Yes (16)
Refresher Courses Provided	Yes (4)	Yes (16)
Number of Investigations	Unknown (4)	Unknown (16)
Number of Violations Found	2,425 (4)	Unknown (16)
Number of Prosecutions Initiated	71 (4)	26 (16)
Number of Convictions	Unknown (4)	Unknown (16)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (4)	Yes (16)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (16)

Research indicated that there is a lack of understanding of the use of male children in commercial sexual exploitation among some provincial government and court officials due to the notion that boys are stronger than girls and should be able to defend themselves against perpetrators. In addition, there is no training provided to officials specifically covering victim assistance for boys. (5,29,52) However, the Thai government has established a shelter specifically for boys who are victims of human trafficking. In 2020, the MSDHS worked with Save the Children Foundation and Thailand Association of Social Workers to conduct monthly trainings for the shelter staff over 2 to 5 days. (52) These training consisted of both online and physical training at the shelter depending on the situation and the issue of exploitation of boys was included in the training topics. (52) Human trafficking may be underreported due to inconsistencies in the identification process. (23,52) Research also indicates

that there are human trafficking enforcement training gaps, including understanding the gravity of human trafficking crimes and victim identification training amongst police, prosecutors, and judges. (90) In addition, nine officials suspected of complicity in human trafficking activities were subjected to criminal investigation and prosecution. (84) In 2020, of 199 human trafficking cases decided, 157 were convicted, 22 were acquitted, and 20 were dismissed. (52)

#### 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. Chaired by MOL, with representation from other government agencies, employer and worker associations, and civil society groups. (88) Oversees a subcommittee responsible for monitoring the National Policy and Plan to Eliminate the Worst Forms of Child Labor. (40,91) Held a meeting on June 4, 2020. (16)
National and Provincial Committees on Child Protection	Coordinate 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. (64) Led by MSDHS with participation from DLPW and the ministries of Education and Public Health. (49)
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 MOL. (4,40) The Provincial Coordination Center for Sea Fishery Workers (operated jointly by MOL, 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. (29,81) The Thai Maritime Enforcement Command Center, which is replacing the CCCIF, oversees government efforts to combat illegal fishing and human trafficking in the fishing industry, including searching, investigating, and arresting vessel operators who are suspected of using illegal labor onboard. The Department of Fisheries operates 32 Port In-Port Out (PIPO) Centers and 19 Forward Inspection Points (FIP), which are located in every coastal province. (29,80,81,89) Carries out inspections in the fishing industry. (89,92) PIPO Centers enforce laws related to fishing and labor, including child labor, forced labor, and human trafficking, through inspections at ports and at sea. PIPO Centers are staffed by officers from the Department of Fisheries, Marine Department, DLPW, Department of Employment, and interpreters. (29,50)
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. (40,81) Acts as the secretariat for both the Anti-Trafficking in Persons Committee and the Coordinating and Monitoring of Anti-Trafficking in Persons Committee. Operates under MSDHS. (5,40)

#### 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)	Sought to eliminate the worst forms of child labor in Thailand in accordance with international labor standards. Focused 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 inter-agency cooperation, and (e) developing management and monitoring systems. (91) In 2020, conducted prevention awareness campaigns for 11,283 parents, guardians, and teachers, and held career training workshops for 22,319 students. (16)
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 the RTP to request warrants to search the residences and electronic equipment of individuals for child pornography and initiate criminal prosecution. (92-95)

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

Policy	Description
National Strategic Plan (2018–2038)	Aims to improve education access, particularly for vulnerable and poor children in remote areas, by increasing transportation to school, reforming the school subsidy program for poor families, and providing scholarships for children who stay in school. (4,96) In 2020, the government allocated \$134 million (THB 4 billion) for anti-human trafficking efforts. (23) Also conducted workshops on curriculum development and monitored and evaluated education programs for children living on the street, and conducted workshops on non-formal primary educational guidelines for non-Thai children (ages 8 to 15). (16)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (27,97,98)

In March 2020, the Thai Government announced a Memorandum of Understanding to eliminate child and forced labor between the Ministry of Labor and 13 industry associations identified as high risk for child and forced labor in which employment outside employment relationships occurs. (52)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 child labor in high-risk sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Government Welfare Protection Centers for Victims of Trafficking†	Operates nine long-term human trafficking shelters that offer medical care, psychosocial services, education, and life skills education. (99,100) In 2020, cared for 48 victims, including foreign children from Myanmar, Laos, Cambodia, India, and Vietnam. (16)
Migrant Learning Centers‡	NGO and government-operated centers that provide basic education, life skills training, and vocational training to children in migrant communities along Thailand's borders. (4,50,81) In 2020, the Ministry of Education cooperated with UNICEF to provide government education certificates for children in the Centers to facilitate their continuing education in Thailand or other countries. (16)
Child Advocacy Centers (CAC)†	Provide child-friendly spaces to conduct social, legal (including forensic interviews), and repatriation services to children who are survivors or vulnerable to human trafficking, including children trafficked for commercial sexual exploitation. (32,86,103) In 2020, the government opened two new CACs bringing the total of CACs to seven. (32) During the reporting period, also worked with TICAC and OAG to provide 18 awareness-raising talks on online sexual exploitation threats for primary, secondary, and university students, teachers, and executives. (23) Also implemented and provided services to 111 child victims in 35 investigations. (16)
Attaining Lasting Change for Better Enforcement of Labor and Criminal Law to Address Child Labor, Forced Labor, and Human Trafficking (ATLAS)	USDOL-funded project implemented by Winrock International that aims to build the capacity of the national government to more effectively combat child labor by helping to strengthen laws and regulations, improve enforcement capacities, and strengthen coordination between law enforcement and social protection entities. Additional information is available on the USDOL <a href="#">website</a> . (4,16,23,104)

† 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. (50,80,91,103,105,106)

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, makes it difficult for the Government of Thailand to design appropriate programs to address these issues. Migrant children are not eligible for Equal Education Fund distributions—scholarships to support disadvantaged children's access to education—which increases their vulnerability to labor exploitation. (4,50,80) While access to education for migrant children has increased, some Migrant Learning Centers lack accreditation. (4,49,97)

## 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 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
	Ensure that the hazardous occupations and activities prohibited for children are comprehensive and include sectors in which child labor is known to occur, including paid participation in <i>Muay Thai</i> , in which there is evidence that children are exposed to physical dangers.	2018 – 2020
Enforcement	Increase the number of labor inspectors to meet the ILO's technical guidance.	2015 – 2020
	Collect and publish comprehensive data on the number of investigations conducted, violations found, and convictions for all crimes related to child labor, including the worst forms of child labor.	2015 – 2020
	Ensure provincial government and court officials are provided adequate training on human trafficking issues—specifically in cases of male children in commercial sexual exploitation—to afford boys the same protections and victim assistance as girls.	2018 – 2020
	Ensure law enforcement officials report all human trafficking incidences.	2019 – 2020
	Ensure labor inspectors are provided training necessary to conduct inspections at remote informal sector workplaces, including in agriculture and domestic work.	2019 – 2020
	Ensure engagement with NGOs comprehensively addresses stakeholders, including migrant community NGOs or networks.	2020
Social Programs	Improve access to education, especially for ethnic minority and migrant children, including by clarifying to school officials, either under the Ministry of Education or local governments, the necessary documents non-Thai students need to submit for enrollment, raising awareness of migrant children's right to education, and addressing language barriers for non-Thai speaking students, including on public school applications, and ensure Migrant Learning Centers are accredited. Ensure that there are sufficient social programs to assist children from vulnerable groups, such as LGBTQI+ children, who face additional barriers to education that may increase their risk of dropping out of school and engaging in child labor	2012 – 2020
	Conduct research and data prevalence surveys to ensure that there are sufficient social programs to address child labor in the agriculture, garment manufacturing, domestic work, and construction sectors.	2016 – 2020
	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 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Timor-Leste made minimal advancement in efforts to eliminate the worst forms of child labor. The Inter-Agency Anti-Trafficking Working Group continued work on the draft decree that outlines the roles and responsibilities of the yet-to-be established Anti-Trafficking Commission, and the National Commission Against Child Labor met regularly throughout the year. However, despite new initiatives to address child labor, Timor-Leste is receiving an assessment of minimal advancement due to a continued practice that delayed advancement in eliminating the worst forms of child labor. While no law or policy prohibits pregnant girls from attending school, reports during the reporting period indicate that orders from school principals forced girls to leave school when they became pregnant, making them more vulnerable to the worst forms of child labor. Children in Timor-Leste are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in agriculture. In addition, there is a lack of training on child labor laws for labor inspectors and criminal investigators.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Timor-Leste are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. Children also engage in dangerous tasks in agriculture. (1,2) Table 1 provides key indicators on children's work and education in Timor-Leste.

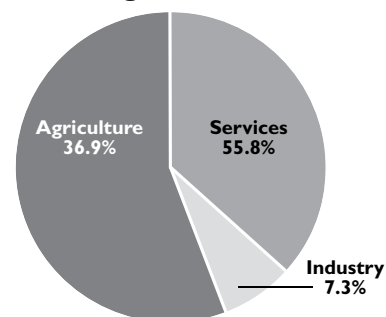
**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	12.3 (40,337)
Attending School (%)	5 to 14	83.7
Combining Work and School (%)	7 to 14	12.4
Primary Completion Rate (%)		105.2

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force-Child Labour Survey (LFS-CLS), 2016. (4)

**Figure 1. Working Children by Sector, Ages 10-14**



These data are not comparable with data presented in last year's report due to changes in survey source, survey questionnaire, or age range surveyed. (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 cultivating and processing coffee† and growing vegetables and other crops (1,2,5,6) Fishing,† including work on boats and repairing nets (1,2,7-9)
Industry	Construction,† including brickmaking (1) Operating weaving and knitting machines (5,10)
Services	Domestic work† (1,2,6,9,11,12) Street work, including vending, begging, and scavenging (1,8,9,13) Shop keeping and selling goods in markets (5)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (2,6,8,9,12,14) Domestic and agricultural work, each sometimes as a result of human trafficking (2,6,8)

† 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.



# Timor-Leste

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

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. (2,6,8,12,15-17) Research indicates that data on human trafficking vary across government institutions and are not centralized in a clearinghouse for stakeholder agencies to access, making it difficult to accurately assess human trafficking issues on the ground. (12,16,18) Other children are trafficked transnationally, including to Indonesia. (2,12,16) 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 or to pay off family debts. (6,8,9,12,17,19)

Data from the most recent child labor survey identified more than 26,000 children engaged in child labor under "other service activities," including domestic work, and identified 588 children as engaging as street vendors. However, in July the Commission for the Rights of the Child cited a slightly smaller figure of 300 children engaging as street vendors, sometimes in situations of forced labor. (9,20)




Although there is no government policy prohibiting girls from attending school while pregnant, research indicates that there were at least some school principals who forced pregnant girls to leave school. As a result, some pregnant students may also attempt to transfer schools, but they face additional difficulty obtaining transfer documentation, which is at the discretion of school principals. (8,9,17,21,22) This practice may make pregnant girls more vulnerable to involvement in child labor, including its worst forms. The Ministry of Education has drafted a policy to encourage girls to return to school after giving birth, but this policy has remained in draft status for several years, and there is no policy on providing education for girls during their pregnancy. (21)

The law requires 9 years of compulsory education; however, in practice, children must pay additional fees to attend school. Commonly required fees include school uniforms and supplies, which can hinder access to education, particularly for children from poor and rural areas. (7-9,17,23) In addition, the lack of sanitation facilities at schools can result in girls dropping out of school upon reaching puberty, and children with disabilities are often unable to attend school due to accessibility issues. (8,9,17) In an effort to provide educational opportunities to children during the COVID-19 pandemic, the government was one of the first countries in the world to use the UNICEF-developed "Learning Passport" online learning platform. (24)

## 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.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**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 (25)
Minimum Age for Hazardous Work	No	17	Article 67 of the Labour Code (25)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		List of Hazardous and Prohibited Activities to Children Under the Age of 18 (26)
Prohibition of Forced Labor	Yes		Articles 155, 162–163, and 166 of the Penal Code; Articles 8 and 67 of the Labour Code (25,27)
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 (25,27-29)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Fourth Amendment to Articles 163 and 164 of the Penal Code; Articles 155 and 174–176 of the Penal Code; Article 67 of the Labour Code (25,27,30)
Prohibition of Using Children in Illicit Activities	No		Article 155 of the Penal Code; Article 67 of the Labour Code (25,27)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 17 of the Law on Military Service (31)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 14 of the Law on Military Service (31)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 125 of the Penal Code (27)
Compulsory Education Age	Yes	16	Article 11 of the Education System Framework Law (32)
Free Public Education	Yes		Section 59 of the Constitution of the Democratic Republic of Timor-Leste; Article 11 of the Education System Framework Law (32,33)

Research indicates that various sections of the Penal Code only criminalize the use, procuring, and offering of a child for prostitution, production of pornography, and pornographic performances when the child victim is younger than age 17. Research also shows that the Labor Code only protects minors younger than age 17 in its prohibition on the use of child labor in hazardous work. (17,23,25,27,34,35)

Additionally, the 2017 Law on Preventing and Combating Trafficking in Persons raised the age of a minor from under age 17 to age 18 such that it imposes penalties to anyone “recruiting, transporting, transferring, housing, or harboring minors under the age of 18 for the purpose of exploitation.” The amendment states that exploitation includes a person’s labor or services, forced labor or debt bondage, begging, slavery.” (30)

The minimum age of 17 for hazardous work is not in compliance with international standards because Timor-Leste fails to ensure that children receive adequate training in accordance with international standards where the minimum age identified is below age 18. (23,25,27,35) The government has a draft Decree Law that will raise the minimum age of hazardous work to age 18, but it has not yet been submitted for approval to the National Parliament. (9,35) Although Timor-Leste has adopted the List of Hazardous and Prohibited Activities to Children Under the Age of 18, it is uncertain how this law will interact with the Labor Code, which only considers those under age 17 as children. (2,23,26,36) 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. (25)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (32,33)

The government has yet to complete drafting implementing regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking. (6,16)

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### 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 enforcement agencies 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. (7,9) Enforces laws related to child labor. Administers the General Labor Inspectorate Directorate, which is responsible for investigating incidents of forced labor. (7,9)
PNTL	Enforces criminal laws against forced labor, commercial sexual exploitation, and human trafficking. Includes the Vulnerable Persons Unit, the immigration police, and the border police. (7,9)

The Ministry of Social Solidarity and Inclusion receives referrals from agencies, including the Secretariat of State for Professional Training and Employment Police (SEPFPOE), that are responsible for conducting child labor investigations and providing child victims with appropriate support services. (21) The Ministry of Social Solidarity and Inclusion maintains at least 1 technical officer in each of the country's 13 districts and 2 child protection officers in each of the 65 sub-districts, all trained to follow the government's standard operating procedures for identifying and referring victims to service providers. (12,16,37)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Timor-Leste took actions to combat child labor (Table 6). However, gaps exist within the operations of SEPFPOE 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	2019	2020
Labor Inspectorate Funding	\$432,074 (8)	\$246,000 (9)
Number of Labor Inspectors	26 (8)	26 (9)
Inspectorate Authorized to Assess Penalties	Yes (25)	Yes (25)
Initial Training for New Labor Inspectors	N/A (8)	N/A (9)
Training on New Laws Related to Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	N/A (8)	No (9)
Number of Labor Inspections Conducted	2,000 (8)	1,200 (9)
Number Conducted at Worksite	Unknown (8)	Unknown (9)
Number of Child Labor Violations Found	0 (8)	0 (9)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (8)	0 (9)
Number of Child Labor Penalties Imposed that Were Collected	0 (8)	0 (9)
Routine Inspections Conducted	Yes (8)	Unknown (9)
Routine Inspections Targeted	Yes (8)	Yes (9)
Unannounced Inspections Permitted	Yes (25)	Yes (38)
Unannounced Inspections Conducted	Yes (8)	Yes (9)
Complaint Mechanism Exists	Yes (8)	Yes (9)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (9)

During the reporting period, the government was unable to pass a budget for fiscal year 2020 until October 2020, which impeded many government activities and priorities, including the ability of SEPFPOE to conduct labor inspections. (9,16) Due to the lapse in funding, which reduced the labor inspectorate budget from \$432,074 in 2019 to \$246,000 in 2020, the number of labor inspections decreased by 40 percent. (9) Furthermore, labor inspectors did not receive any specialized training related to child labor during the reporting period. (9)

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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, SEPFOPE reported that the number of labor inspectors is insufficient to conduct the required labor inspections. (7,8,17)

Research found that there are insufficient child labor enforcement protections for children working on family farms or in domestic work, because SEPFOPE inspectors are only empowered to inspect formal workplaces, despite the fact that inspectors with the National Commission Against Child Labor routinely identify child labor in domestic work. (2,8,9,17) SEPFOPE also had limited capacity to conduct inspections in Timor-Leste’s rural areas, where child labor in the agriculture sector is prevalent. This limitation was due to a lack of available transportation, including funds to pay for fuel for government vehicles. (7-9,11,17)

The government did not provide information on the number of inspections conducted at worksites and the number of routine inspections conducted for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Yes (8)	N/A (9)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (8)	N/A (9)
Refresher Courses Provided	No (8,22)	Yes (9)
Number of Investigations	0 (8)	0 (9)
Number of Violations Found	0 (8)	0 (9)
Number of Prosecutions Initiated	0 (8)	0 (9)
Number of Convictions	0 (8)	0 (9)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	N/A (21)	N/A (9)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (8)	Yes (9)

The Vulnerable Persons Unit (VPU) of the Timor-Leste National Police has a staff of 97 investigators charged with the enforcement of criminal laws related to the worst forms of child labor. (6,8,12,21,37) During the reporting period, the VPU had to cancel its training program due to the pandemic, and research noted that there are currently no courses specific to child labor and no training dedicated to victim assistance. (9) Furthermore, the VPU did not receive any funding to carry out investigations during the reporting period. (8,9) In 2020, the VPU handled one international case involving a 16-year-old Indonesian girl who was lured into commercial sexual exploitation under the false pretenses of selling fish in Timor-Leste. The accused couple were detained, and their case is pending. (16)

The curriculum for new and existing members of the judiciary includes trainings on human trafficking that teach steps that criminal prosecutors can use to develop new trafficking investigations and prosecutions. These include methods for handling evidence and questions that prosecutors can ask of witnesses and victims to more clearly delineate whether a case is trafficking-related, thus increasing chances of conviction. (12,18,39) However, the government has not finalized or disseminated comprehensive, government-wide standard operating procedures for victim identification. (6)

There are only 33 judges and 34 prosecutors to handle the criminal and civil caseload of the entire country, and, as a result, cases can remain pending without a court date for long periods of time. (12,16) In addition, potential human trafficking cases are often misclassified due to a lack of evidence confirming trafficking, as well as unfamiliarity with trafficking in persons cases. (12,16,18) During the reporting period, the government collected

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only aggregate data on vulnerable persons, not trafficking-specific data. (6) Furthermore, the government failed to obtain any trafficking-related convictions for the fourth consecutive year, and the case against a Liquica district administrator for allegedly raping a 15-year-old trafficking victim in 2018 remained under investigation while the administrator remained in his position. (6,12,16)

### 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 continued delays in establishing the Anti-Human Trafficking Commission.

**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. (9) Develops child labor policies, raises awareness, and contributes to efforts to ratify and implement international conventions related to child protection. Develops the national plan against child labor. (21,35) Disseminates formal information on the normative and technical framework applicable to child labor. Elaborates, approves, and periodically reviews the hazardous work list of jobs prohibited for children under age 18. (21,35) Chaired by SEPFOPE. (8,9,40) Other members include PNTL; Timorese Labor Union Confederation; youth empowerment NGO Forum Tau Matan; Ministry of Tourism, Commerce, and Industry; Ministry of Social Solidarity and Inclusion; Ministry of Education, Youth, and Sports; Ministry of Justice; and Coordinating Ministry for Economic Affairs. (8) Met during the reporting period. (9)
Inter-Agency Anti-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. (6,11,12,16) During the reporting period, met twice and continued work on the draft decree law that would establish the roles and responsibilities of the Anti-Trafficking Commission. (9,12,16,17)
Ministry of Social Solidarity and Inclusion (MSSI)—National Commission for Children's Rights	Overseen by MSSI. Responsible for conducting awareness-raising campaigns related to child labor. (8,9) Works to ensure the well-being and healthy development of children. (21) Research was unable to determine whether the National Commission for Children's Rights was active during the reporting period.
Provedor for Human Rights and Justice	Assumes responsibility for sharing information related to child labor with CNTI, SEPFOPE, and PNTL. (8) Members include SEPFOPE, PNTL, the National Commission for Children's Rights, MSSI, the Ministry of Justice, and the Ministry of State and Administration. (21) During the reporting period, assumed responsibility for passing information related to child labor along to CNTI. (9)

The government drafted implementation plans to replace the Inter-Agency Anti-Trafficking Working Group with an Anti-Human Trafficking Commission. These plans, which will have oversight on the Law on Preventing and Combating Human Trafficking, remain pending. (6,9,11,12,41)

### 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 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. Research was unable to determine whether activities were undertaken to implement Timor-Leste's key policies related to child labor during the reporting period.
Timor-Leste Strategic Development Plan (2011–2030)	Provides short-term 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. Specifies commitments to improve the educational system over the next 20 years. (42) Research was unable to determine whether activities were undertaken to implement Timor-Leste's key policies related to child labor during the reporting period.



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Although the National Action Plan for the Elimination of Child Labor—which aims to eliminate the worst forms of child labor in Timor-Leste by 2025 and all forms of child labor by 2030—was finalized in 2016, the Council of Ministers has yet to approve it. (2,8,9,35,40,41,43,44) In addition, the government continued working to update the draft National Action Plan on Combating Human Trafficking, whose mandate ended in 2018. (16)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 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. (45) Research was unable to determine specific activities undertaken during the reporting period.
Services for Street Children†	Government-funded safe house and support services for street children provided by the Youth Communication Forum. (46) Research was unable to determine specific activities undertaken during the reporting period.
Mother's Purse (Bolsa da Mãe)†	MSSI 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. (47) Research was unable to determine specific activities undertaken during the reporting period.
Casa Vida†	Joint program between MSSI 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. (11) Provides specialized assistance for girls up to age 18 who have escaped situations of sexual violence. (21) Receives referrals from civil society organizations as well as PNTL/Vulnerable Persons Unit. (48) Research was unable to determine specific activities undertaken during the reporting period.
Measurement, Awareness-Raising, and Policy Engagement Project on Child Labor and Forced Labor (MAPI6)	USDOL-funded global 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. (49) In June, finalized and approved the draft Child Labor National Action Plan. (50) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (51-54)

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	Ensure that the law protects children between the ages of 17 and 18 from engagement in all the worst forms of child labor, such as commercial sexual exploitation, illicit activities, and hazardous work.	2013 – 2020
	Ensure that children receive adequate training specific to the type of work they are undertaking, and ensure that their health, safety, and morals are protected in accordance with international minimum age standards for hazardous work.	2017 – 2020
	Raise the minimum age for hazardous work to 18 to meet international standards.	2020
	Ensure that the List of Hazardous Occupations and Activities Prohibited for Children is harmonized with the Labor Code and Penal Code.	2017 – 2020

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

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the law's light work provisions specify the activities in which light work may be undertaken.	2016 – 2020
	Finalize the implementation regulations and guidance on the 2017 Law on Preventing and Combating Human Trafficking.	2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Ensure that a budget is passed in a timely fashion and allows sufficient funding of the Secretariat of State for Professional Training and Employment Policy to carry out labor inspections.	2020
	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 – 2020
	Ensure that labor and criminal law enforcement officials receive sufficient training related to the worst forms of child labor, including child trafficking victim assistance.	2016 – 2020
	Ensure that the Secretariat of State for Professional Training and Employment Policy has the legal authority to conduct inspections in the informal sector, including on family farms and domestic work.	2017 – 2020
	Ensure that labor and criminal law enforcement agencies receive sufficient funding to carry out inspections and investigations, especially in rural areas of Timor-Leste, including funding for vehicles and fuel.	2016 – 2020
	Publish labor law enforcement information, including the number of labor inspections conducted at worksites and the number of routine inspections conducted.	2015 – 2020
	Ensure that the Vulnerable Persons Unit receives funding to carry out investigations.	2020
	Finalize and disseminate standard operating procedures related to human trafficking victim identification.	2020
	Ensure that criminal and civil cases are tried in a timely manner, including the 2018 case against the Liquica District Administrator, and that cases of human trafficking are properly classified.	2019 – 2020
	Collect, disaggregate, and publish criminal law enforcement data related to human trafficking.	2020
Coordination	Investigate, prosecute, and convict perpetrators of the worst forms of child labor.	2020
	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
Government Policies	Ensure the establishment of the Anti-Human Trafficking Commission.	2018 – 2020
	Publish activities undertaken to implement key policies to address child labor during the reporting period.	2017 – 2020
	Adopt the National Action Plan for the Elimination of Child Labor.	2016 – 2020
Social Programs	Finalize and adopt the National Action Plan on Combating Human Trafficking.	2020
	Create a centralized database to capture human trafficking data that is accessible to all relevant government stakeholders.	2019 – 2020
	Improve access to education by eliminating school related fees, making schools accessible for children with disabilities, and providing safe and healthy sanitation facilities, especially for girls.	2018 – 2020
	Ensure that the Ministry of Education draft policy encouraging female students to return to school after giving birth is approved, and that a policy providing education for girls during their pregnancy is drafted.	2020
	Ensure that pregnant girls have access to education, including transfer documents.	2019 – 2020
	Publish activities undertaken to implement the Child Labor Education and Outreach Program, Services for Street Children, Mother's Purse ( <i>Bolsa da Mãe</i> ), and <i>Casa Vida</i> social programs during the reporting period.	2018 – 2020
	Institute programs to address child labor and the worst forms of child labor, including in agriculture and commercial sexual exploitation.	2017 – 2020

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In 2020, Togo made moderate advancement in its efforts to eliminate the worst forms of child labor. The government adopted a National Action Plan for the Elimination of the Worst Forms of Child Labor and passed a ministerial decree, which defined and prohibited hazardous work for children under 18 years old. In addition, the government intercepted 250 children at risk of human trafficking at the border and provided them with social services. However, children in Togo are subjected to 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 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 publish data related to its efforts to criminal enforcement of child labor laws.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Togo are subjected to 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 domestic work. (1-6) Table 1 provides key indicators on children's work and education in Togo. 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	29.6 (Unavailable)
Attending School (%)	5 to 14	86.1
Combining Work and School (%)	7 to 14	29.5
Primary Completion Rate (%)		88.4

Source for primary completion rate: Data from 2020, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Demographic and Health Survey (DHS), 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	Working in agriculture, including spraying pesticides (3,6,9) Production of charcoal† (9)
Industry	Working in quarries and sand mines, including excavating, crushing rocks, sifting gravel, and carrying heavy loads‡ (1,9) Working in tailoring (9) Construction (4,9,10)
Services	Domestic work† (1,3,9) Carrying heavy loads,† and small-scale vending in markets (8,9,11) Work as motorcycle repairmen (4,9,12,13) Garbage scavenging (4,9,12)
Categorical Worst Forms of Child Labor‡	Forced begging (9,11,12) Commercial sexual exploitation, sometimes as a result of human trafficking (4,5,9,14,15) Forced labor in agriculture, including in coffee, cocoa, and cotton; domestic work; quarries; and markets, including carrying heavy loads; each sometimes as a result of human trafficking (11,14)

† 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.

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. (6,15,16) The majority of people

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trafficked in Togo are children. (15) Parents may be complicit in child trafficking by 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. (5,6,9,15-17)

Although education is free and compulsory by law, parents must pay for associated fees, uniforms, and school supplies, which makes education prohibitively expensive for many families. (6,18-20) Research found that long distances to schools and physical and sexual abuse in schools also posed barriers to education for some children. (5,6,19-21)

## 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 (22-24)
Minimum Age for Hazardous Work	Yes	18	Article 151 of the Labor Code; Arrete 1556 (22,29)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 263–264 of the Children's Code; Articles 319.9 and 882 of the Penal Code; Article 151 of the Labor Code; Articles 1–11 of Arrete 1556 (22-24,29)
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 (22-24)
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 (22-24,26)
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 (22-24)
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 (22-24)
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 (23,27)
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 (23,24)
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 (23,24)



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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	15	Article 35 of the Constitution; Article 255 of the Children's Code (23,28)
Free Public Education	Yes		Article 35 of the Constitution (28)

\* No conscription (27)

The Government of Togo signed into effect Ministerial Decree 1556 in May 2020, which amends 1464 of 2007. (6,29) Ministerial Decree 1556 defines and prohibits hazardous work activities for children under age 18, previously undefined, and in particular, forbids children from working with or in the vicinity of machines without proper protective equipment; working with sharp blades; in charcoal production; as well as in cinemas, theaters, cafes, and circuses. (29,30) Furthermore, Ministerial Decree 1556 prohibits children from working longer than eight hours a day. It also prohibits children from working during the night. (6,29,30) Despite these additional protections, Ministerial Decree 1556 still permits children as young as age 15 to perform some hazardous tasks, such as transporting heavy loads. This permission violates Article 3(3) of Convention 138, which permits children as young as age 16 (but not age 15) to perform hazardous tasks as long as their health, safety, and morals are fully protected and they receive adequate training. (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 enforcement agencies 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. (6,32) Through its Unit to Combat Child Labor, withdraws children from child labor situations, raises awareness, and collects data. (33)
Ministry of Justice and Government Relations	Enforces criminal laws related to the worst forms of child labor and prosecutes violators. (6,33)
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. (6,10,13) Supports a network of 42 foster families in 4 regional capitals. (34) Operates the <i>Allo 1011</i> hotline for reporting child abuse, including child trafficking. (14,34,35) In 2020, the <i>Allo 1011</i> platform received 11,634 calls, of which 4,517 were substantive and 86 were related to child trafficking or economic exploitation. (6) The public can report child issues to <i>Allo 1011</i> via SMS text message, through a mobile application, or through a real-time interactive website. (6) During the reporting period, the MSA provided cell phones to the program's network of 150 contacts to facilitate coverage throughout the country. The network used an informal referral system when callers had identified possible victims. (30)
Ministry of Security's Division of Drugs, Morals, and Pimping	Investigates crimes involving child victims, including child trafficking. Operates as part of the National Police in all five regions of Togo. (6,36)

Agencies involved in combating trafficking in persons include the MASPFA; Ministry of Security and Civil Protection; Ministry of Justice; Ministry of Labor; and security forces, including police, army, customs, and gendarmes. The MSA has the lead on child trafficking, assistance to victims, and prevention. (15)

#### **Labor Law Enforcement**

In 2020, labor law enforcement agencies in Togo took actions to combat child labor (Table 6). However, gaps exist within the Ministry of Civil Service, Labor, and Administrative Reform (MOL) that may hinder adequate labor law enforcement, including the authority to assess penalties.

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**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$71,851 (9)	\$73,162 (6)
Number of Labor Inspectors	128 (9)	128 (6)
Inspectorate Authorized to Assess Penalties	No (9)	No (22)
Initial Training for New Labor Inspectors	Yes (9)	Yes (6)
Training on New Laws Related to Child Labor	N/A (9)	N/A (6)
Refresher Courses Provided	Yes (9)	Yes (6)
Number of Labor Inspections Conducted	1,168 (6)	569 (30)
Number Conducted at Worksite	Unknown (9)	126 (30)
Number of Child Labor Violations Found	716 (37)	22 (30)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (9)	8 (30)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (9)	0 (30)
Routine Inspections Conducted	Yes (9)	Yes (6)
Routine Inspections Targeted	Unknown (9)	Yes (30)
Unannounced Inspections Permitted	Yes (9)	Yes (22)
Unannounced Inspections Conducted	Yes (9)	Yes (6)
Complaint Mechanism Exists	Yes (9)	Yes (6)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (9)	Yes (6)

In addition to the 128 MOL labor inspectors, the MOL sends 60 labor inspectors to the Togolese Revenue Office (OTR), who accompany OTR tax inspectors and report on any labor infractions, including those related to child labor. None of the labor inspectors at the MOL or OTR are authorized to assess penalties, however. (6,9,30) The MOL lacks sufficient resources for fuel and transportation, which may hinder its ability to conduct inspections. (6,9,32) 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. (22) Routine inspections were conducted; however, the majority of child labor occurs in the informal sector, in which inspectors are legally allowed to inspect, but rarely do. (9,22)

**Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Togo took actions to combat child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (9)	Yes (6)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A (6)
Refresher Courses Provided	Unknown (9)	N/A (6)
Number of Investigations	Unknown (9)	Unknown (6)
Number of Violations Found	Unknown (9)	Unknown (6)
Number of Prosecutions Initiated	Unknown (9)	Unknown (6)
Number of Convictions	Unknown (9)	Unknown (6)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (9)	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (9)	Yes (6)

The government did not provide information on its criminal law enforcement efforts on the number of investigations, violations found, prosecutions initiated, convictions, and penalties imposed for inclusion in this report. Investigators lacked the resources to adequately enforce the law. Research also indicates that poor recordkeeping, a shortage of physical copies of existing child labor laws throughout the country, and high investigator turnover result in gaps in knowledge and enforcement capacity. (9)

Cases involving child trafficking may be settled outside of court due to difficulties gathering evidence. In addition, judges may be reluctant to impose fines or prison sentences in cases in which parents are involved due to a fear of perpetuating the poverty that originally led them to violate child trafficking laws. (6,11) During the reporting period, research indicated that officials intercepted 250 children at Togo's borders destined for Nigeria, Gabon, Benin, and Burkina Faso. The government returned these children to their families in Togo. (15)

The Ministry of Justice (MOJ) reported that no child trafficking convictions were obtained during the reporting period. (30) The Assize Courts in Lome and Kara that handle all human trafficking cases were not operational during the reporting period citing the pandemic. (15) Research indicates that the Assize Court system's process for addressing child trafficking is slow and expensive, which can deter victims from participating. The two Assize Courts have too many cases to handle, and cases deemed less serious are deprioritized, meaning that it can take years for the courts to hear them. (15) In 2020, the government allocated \$11,667 (7,000,000 CFA) to conduct its third edition of a nationwide awareness campaign on trafficking in persons. (15)

#### 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 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	Coordinating government body for child labor issues. Comprises representatives from 17 ministries and NGOs; the MOL's Unit to Combat Child Labor serves as the permanent secretariat. (9) Operates at the community level. (9,12) The National Steering Committee was active during the reporting period reviewing the previous National Action Plan and finalizing the 2020–2024 National Action Plan (PANLTE). (6)
Committee for Social Reintegration of Children (CNARSEVT)	Manages anti-child trafficking efforts, acts as the government's central hub of information for trafficking in Togo, and drafts an annual report on data in human trafficking, which is sent to the Economic Community of West African States (ECOWAS). (15,38) Has representatives from the ministries of Labor, Justice, Health, Security, and Foreign Affairs. (15) Met regularly throughout the year. (38) Research indicates that CNARSEVT faced operational challenges during the reporting period due to lack of financial resources despite receiving support from UNICEF and Expertise France. (15)
Federated Bodies*	The government established 84 community-based child protection entities known as "federated bodies" to replace the previous "Local Vigilance Committees" that had become inactive. The new federated bodies held community dialogues to raise broad child abuse issues—including child trafficking—and identify and implement programming such as awareness raising, counseling, and reporting. (30)

\* Mechanism to coordinate efforts to address child labor was created during the reporting period.

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. (9) During the reporting period, the government worked towards the establishment of a National Commission Against Trafficking, but had not yet finalized the decree to enter it into force. (6) The Government of Togo signed a Tripartite Agreement with Benin and Burkina Faso in December 2019 to improve protection of child trafficking victims, and in July 2020, held a launch event to share information about the agreement. (15) Research indicates that the government was not able to fully implement the agreement during the reporting period, citing complications due to the COVID-19 pandemic. (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 implementation.

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan for the Elimination of the Worst Forms of Child Labor (PANLTE) (2020–2024)†	Taking a multi-sectoral approach, PANLTE takes into account the formal and informal economies in an attempt to eliminate the worst forms of child labor. (6,30,39) The government launched implementation activities in 2021. (30)
National Policy of Social Protection	MASPFA policy that aims to improve social safety nets, strengthen mechanisms to combat the exploitation of children, and promote birth registration. (40) UNICEF has partnered with MASPFA, dedicating \$6.4 million of UNICEF's 2019–2023 budget to promote child protection, including birth registration. (6)
Multi-lateral Agreements to Combat Child Trafficking	In December 2019, the Governments of Togo, Benin, and Burkina Faso signed a trilateral agreement to combat child trafficking. (9,41) On July 30, 2020, the government made this document available to the public. (6)
National Development Plan (2019–2022)	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. (9,42) The government has done many activities related to the implementation of the National Development Plan, which is cited at every meeting and for almost every government initiative, however, it is difficult to track its annual activities since the accomplishments are not published anywhere. (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. (44)

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. (15,17,30) The government also produced a new Education Sector Plan (2020–2030), as the previous one ended during the reporting period. While the new plan does not directly address eliminating child labor, it includes efforts to stimulate demand for education, including targeting localities where school access and retention are weak, especially for girls. The government's objective is to keep children in school instead of work and thereby reduce child labor. (30)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
World Bank-Funded Programs	Aim to combat child labor by improving social safety nets for vulnerable families and increasing access to education. Include: The Safety Nets and Basic Services Project (2017–2020), a \$29 million project implemented by MASPFA and the Ministry of Grassroots Development (ANADEB), aims to provide social safety nets to poor communities. (6,9,13,45-49) During the reporting period, the Safety Nets program continued to be implemented. This project is due to be completed at the end of 2021. (6) Employment Opportunities for Vulnerable Youth Project (2017–2021), a \$15 million program implemented by ANADEB, strives to provide access to income-generating opportunities for targeted poor and vulnerable youth in Togo. (6)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (20,34,45)

Social programs focus on alleviating poverty and promoting education rather than targeting specific sectors of child labor, such as domestic work. The government relies heavily on NGOs and international organizations for the implementation of social programs. (9,50) A shortage of funds may hinder program implementation. (9) 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. (9)

## 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
Legal Framework	Ensure that written law prohibits children from performing all types of hazardous labor.	2020
Enforcement	Strengthen the labor inspectorate by authorizing labor inspectors to assess penalties.	2014 – 2020
	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 – 2020
	Publish data on criminal law enforcement efforts, including the number of investigations conducted, criminal violations found, prosecutions initiated, convictions obtained, and penalties imposed for the worst forms of child labor.	2010 – 2020
	Ensure that criminal investigators have sufficient financial and physical resources to adequately enforce criminal laws against child labor.	2017 – 2020
	Ensure that criminal law enforcement officials receive training, including on new laws and refresher courses, and that all regional offices have copies of relevant laws related to child labor.	2009 – 2020
	Enforce legal penalties for criminal violations, such as child trafficking.	2014 – 2020
	Ensure that court system processes for addressing child trafficking are timely so as not to deter victims from reporting.	2020
	Address issues of poor recordkeeping and high investigator turnover to ensure solid adequate enforcement capacity.	2020
Coordination	Provide coordinating bodies with sufficient resources to implement their mandates to combat child labor.	2018 – 2020
	Fully implement any agreement signed to protect child trafficking.	2020
Government Policies	Ensure that programs undertake intended projects and report on these activities, including for the National Development Plan.	2020
	Implement a policy that addresses all relevant worst forms of child labor.	2020
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.	2010 – 2020
	Ensure that social protection programs to combat child labor receive adequate funding and are sufficient to address the scope of the problem in all relevant sectors.	2009 – 2020
	Ensure that child labor elimination and prevention strategies are integrated into all relevant programs.	2016 – 2020
	Integrate child labor elimination and prevention strategies into the Education Sector Plan.	2013 – 2020
	Ensure that social programs target commercial sexual exploitation and domestic work in addition to alleviating poverty and promoting education.	2019 – 2020

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Although research found no evidence that child labor exists in Tokelau, in 2020 the government made no advancement in efforts to prevent the worst forms of child labor. 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 for children.

## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Research found no evidence that child labor exists in Tokelau. Table I provides one key indicator on children's education in Tokelau. Data on key indicators on children's work are not available from the sources used in this report.

**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Primary Completion Rate (%)		119.0

Although education in Tokelau is free, some children struggle to access reliable transportation to attend school. (1,2)

## 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. (3) 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. (2,3) None of the key international child labor conventions ratified by New Zealand have been made applicable to Tokelau, including ILO Convention 138, Minimum Age of Work; ILO Convention 182, Worst Forms of Child Labor; the UN Convention 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. (2)

The government has established laws and regulations related to child labor (Table 2). However, gaps exist in Tokelau'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		
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		

## NO ADVANCEMENT

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

Standard	Meets International Standards	Age	Legislation
Compulsory Education Age	Yes	16	Article 63(1) of the Tokelau Crimes, Procedures, and Evidence Rules Act (5,6)
Free Public Education	Yes		Part I, Section 3 of the Government of New Zealand's Education Act (7)

\* No conscription (8)

† No standing military (4)

Tokelau has not established a minimum age for work legislation, nor has the government determined the minimum age for hazardous work or the types of work that are hazardous for children. The government also does not prohibit slavery or slavery-like practices such as forced labor. (2) Tokelau's trafficking provision does not clearly criminalize domestic trafficking or the trafficking of children in the absence of force, fraud, or coercion. In addition, the government does not criminalize the use, procuring, or offering of children for prostitution, pornography, or pornographic performances. (2) Tokelau has also not criminalized the use of children in illicit activities, including in the production and trafficking of drugs. (5) Although there are no armed forces in Tokelau, the law does not criminally prohibit non-state armed groups from recruiting children under age 18. (2)

New Zealand is responsible for the defense of Tokelau at the territory's request and consultation. (4,9)

### 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. However, the Government of Tokelau 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
National Assembly (General Fono)	Hears cases related to child welfare concerns, including child labor; if local village leaders are unable to resolve the case at the local level. (10)
New Zealand Ombudsman	Addresses and, if necessary, investigates citizens' complaints against a government office, including complaints related to child labor, child health, safety, and education. (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, including its worst forms.

#### **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, 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. However, the Government of Tokelau has established a policy related to child labor (Table 4).

**Table 4. Key Policies Related to Child Labor**

Policy	Description
United Nations Pacific Strategy (2018–2022)	A multi-national 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. (11) Research was unable to determine whether activities were undertaken to implement the United Nations Pacific Strategy 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 5).

**Table 5. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Establish a minimum age for work that meets international standards and conforms to the compulsory education age.	2016 – 2020
	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 – 2020
	Establish laws that criminally prohibit forced labor, including slavery.	2013 – 2020
	Ensure that laws prohibit the 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 – 2020
	Ensure that laws criminally prohibit the use, procuring, and offering a child for prostitution, the production of pornography, and pornographic performances.	2017 – 2020
	Ensure that laws criminally prohibit the use of children for illicit activities, including for the production and trafficking of drugs.	2017 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
Government Policies	Publish activities undertaken to implement the United Nations Pacific Strategy during the reporting period.	2019 – 2020
Social Programs	Establish a reliable transportation program to ensure that children are able to attend school.	2018 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Tonga made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government ratified International Labor Organization Convention 182 on the Worst Forms of Child Labor. In addition, the government released the results of the Multiple Indicator Cluster Survey, the first nationwide survey on children and women in Tonga. However, despite new initiatives 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 that there are no labor inspectors and there is no legal authority to conduct labor inspections. 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. Children are subjected to 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 farming 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 integrated child labor elimination and prevention strategies into relevant policies to address child labor, including its worst forms.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tonga are subjected to 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 farming and fishing. (1) Table I 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 I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	46.8 (Unavailable)
Attending School (%)	5 to 14	94.6
Combining Work and School (%)	7 to 14	47.8
Primary Completion Rate (%)		116.1

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 6 (MICS 6), 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)
Categorical Worst Forms of Child Labor‡	Forced domestic work (4,6-8)
	Commercial sexual exploitation, sometimes as a result of human trafficking (4,6,7)
	Use in illicit activities, including the trafficking of drugs (9-11)

‡ 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 Government of Tonga released the results of the Multiple Indicator Cluster Survey, the first nationwide survey on children and women in Tonga. The survey, conducted in 2019 with technical support from UNICEF, the United Nations Population Fund, and the Pacific Community, showed that 26 percent of children ages 5 to 17 were involved in economic activities and 28 percent of children were exposed to



# Tonga

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

hazardous working conditions. (11) Hazardous conditions included working with dangerous tools, operating heavy machinery, carrying heavy loads, and some exposure to extreme cold, heat, or humidity. However, the survey did not provide information on the sectors in which children were engaged in child labor. (11) The Ministry of Trade and Economic Development (formerly the Ministry of Commerce, Consumer, Innovation, Trade, and Labor) labor study, which was conducted from December 2012 to January 2013 and resulted in an internal "Report of a Spot Survey on the Worst Forms of Child Labor in Tonga," has yet to be published. (4,12)




There was evidence indicating that the growing methamphetamine epidemic has resulted in drug dealers starting to recruit school-age children to assist with drug deliveries, while also getting them addicted to the drug. (9,10) There have been media reports of children as young as age 13 being arrested for possession of drugs for the purposes of distribution. (11)

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. (11)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

Tonga 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 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 Organized Crime Act (13)
Prohibition of Child Trafficking	No		Section 69 of the Counter Terrorism and Transnational Organized Crime Act (13)
Prohibition of Commercial Sexual Exploitation of Children	No		Sections 115A and 125–126 of the Criminal Offenses Act (14,15)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	16	Section 25 of the Defense Services Act (16)

## 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 Compulsory Recruitment of Children by (State) Military	Yes*		Section 25 of the Defense Services Act (16)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	18	Section 98 of the Education Act 2013 (17)
Free Public Education	No		Section 95 of the Education Act 2013 (17)

\* No conscription (16)

During the reporting period, the Government of Tonga ratified ILO C. 182, thereby giving the Convention on the Worst Forms of Child Labor universal ratification. (18)

The Ministry of Trade and Economic Development has not passed the revised 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. Furthermore, the Parliament has not determined the types of hazardous work prohibited for children. (11,19) When the bill is passed, the labor inspectorate will also be given legal authority to conduct labor inspections. (12,20) In addition, although Article 70 of the Counter Terrorism and Transnational Organized Crime Act prohibits some aspects of forced labor, it does not comprehensively or explicitly criminalize forced labor or slavery. In addition, the Counter Terrorism and Transnational Organized Crime Act does not meet the international standard for the prohibition of child trafficking because it does not specifically prohibit the domestic trafficking of children. (7,13)

The Criminal Offenses Act prohibits the procurement of women and girls under age 21 for commercial sexual exploitation, but it does not criminalize the procurement of boys for the same. 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. (15) There are no criminal prohibitions that specifically prohibit using children in illicit activities, particularly in the production and trafficking of drugs, or the recruitment of children by non-state armed groups. (16) Although it does not appear that there are any laws that provide free basic education, there was a policy that provided for free basic education to all children between ages 6 and 14, which has lapsed during the reporting period. (26)

### III. ENFORCEMENT OF LAWS ON CHILD LABOR

Tonga lacks a functioning labor inspectorate for the enforcement of labor laws and regulations (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Trade and Economic Development	Enforces labor laws, including those related to child labor and the worst forms of child labor. The position of Chief Labor Inspector is currently vacant. (5,20)
Tonga Police, Transnational Crime Unit, and Domestic Violence Unit	Enforces criminal laws related to the worst forms of child labor. (1) Responds to forced child labor, human trafficking violations, and commercial sexual exploitation allegations. With NGOs, handles and coordinates cases related to women and children. (11)
Ministry of Internal Affairs, Immigration Department	Collaborates with Tonga Police and the Ministry of Trade and Economic Development on the enforcement of criminal laws in cases in which foreign nationals are involved in the worst forms of child labor. (11)

There is no labor inspectorate and no legal authority to conduct labor inspections in Tonga. (11)

#### **Labor Law Enforcement**

In 2020, the absence of labor inspectors and labor inspections at the national level in Tonga may have impeded the enforcement of child labor laws (Table 6).

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$0 (4)	\$0 (11)
Number of Labor Inspectors	0 (4)	0 (11)
Inspectorate Authorized to Assess Penalties	N/A (4)	N/A
Initial Training for New Labor Inspectors	N/A (4)	No (11)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	N/A (4)	No (11)
Number of Labor Inspections Conducted	0 (4)	0 (11)
Number Conducted at Worksite	0 (4)	0 (11)
Number of Child Labor Violations Found	0 (4)	0 (11)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (4)	0 (11)
Number of Child Labor Penalties Imposed that Were Collected	0 (4)	0 (11)
Routine Inspections Conducted	N/A (4)	N/A (11)
Routine Inspections Targeted	N/A (4)	N/A (11)
Unannounced Inspections Permitted	N/A (4)	N/A (11)
Unannounced Inspections Conducted	N/A (4)	N/A (11)
Complaint Mechanism Exists	Yes (4)	Yes (11)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (4)	No (11)

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. Child labor inspections are complaint driven, with police called in for suspected cases of child labor. (11) In addition, the government has yet to establish an adequate referral mechanism among the labor authorities, the police, and social welfare services. (11)

### **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	2019	2020
Initial Training for New Criminal Investigators	No (4)	Unknown (11)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (4)	N/A (11)
Refresher Courses Provided	Unknown (4)	Unknown (11)
Number of Investigations	Unknown (4)	0 (11)
Number of Violations Found	Unknown (4)	0 (11)
Number of Prosecutions Initiated	Unknown (4)	0 (11)
Number of Convictions	Unknown (4)	Unknown (11)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (4)	Unknown (11)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (4)	Yes (11)

The government did not provide information on its criminal law enforcement efforts for inclusion in this report. (4) The Tonga Police address crimes related to the worst forms of child labor. In addition, the Tonga Police coordinate with NGOs to handle labor abuse cases relating to women and children. (11) 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. (22) However, no formal referral mechanism exists. (11)

## **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.

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE 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
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) Research was unable to determine whether activities were undertaken to implement this policy 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. In addition, the Tonga Education Policy Framework, supported by the Governments of Australia and New Zealand, focuses on improving school quality, achieving universal basic education, and improving management within the Ministry of Education, thereby having a positive impact by reducing child labor through universal education. (11) During the reporting period, the Tonga Minister of Education worked with the Government of New Zealand to develop a new Education Policy Framework. (24) Although the Government of Tonga has adopted the Tonga Strategic Development Plan Nine and the Tonga Education Policy Framework, strategies to prevent and eliminate child labor have not been integrated into those plans.

**VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR**

In 2020, 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. (25) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (25) During the reporting period, the Government of Tonga participated in UNICEF-supported child protection programs to provide protection to vulnerable children. (11)

Although the Government of Tonga has implemented a program that addresses the elimination of the worst forms of child labor, research found no evidence that it has carried out programs specifically designed to assist children in commercial sexual exploitation, 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	Accede to the UN CRC Optional Protocol on Armed Conflict.	2017 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2017 – 2020
	Accede to the Palermo Protocol.	2017 – 2020
	Establish labor regulations that include a minimum age of 15 for employment and a minimum age of 18 for hazardous work, in accordance with international standards.	2009 – 2020
	Create and publish a list of hazardous occupations and activities that are prohibited for children.	2009 – 2020
	Ensure that laws specifically prohibit domestic human trafficking of children.	2014 – 2020
	Ensure that the law criminally prohibits forced labor, including debt bondage and slavery.	2015 – 2020

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

**Table 10. Suggested Government Actions to Eliminate Child Labor (Cont.)**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that laws prohibit all forms of commercial sexual exploitation for both girls and boys under age 18.	2009 – 2020
	Ensure that the law prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2014 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish by law free basic public education.	2016 – 2020
Enforcement	Hire and train labor inspectors to conduct workplace inspections and enforce child labor laws, including the position of Chief Labor Inspector.	2016 – 2020
	Establish and fund a labor inspectorate with the authority to conduct labor inspections, including routine inspections rather than performing inspections solely based on complaints received, and assess penalties for child labor violations.	2019 – 2020
	Provide labor authorities and criminal investigators with the training and resources necessary to enforce laws prohibiting child labor, including laws related to the worst forms of child labor, and conduct refresher courses.	2013 – 2020
	Establish formal referral mechanisms among the labor authorities, the police, and social welfare services to protect and rehabilitate children involved in child labor, including its worst forms.	2014 – 2020
	Publish information on criminal law enforcement activities, efforts, and relevant data.	2014 – 2020
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2009 – 2020
Government Policies	Publish activities undertaken to implement the United Nations Pacific Strategy (2018–2022) during the reporting period.	2020
	Integrate child labor elimination and prevention strategies into relevant policies.	2017 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor, including its worst forms, to inform policies and programs.	2017 – 2020
	Update all school buildings to ensure accessibility for students with disabilities.	2018 – 2020
	Implement social programs to address all worst forms of child labor, including in commercial sexual exploitation, agriculture, and fishing.	2010 – 2020

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In 2020, Tunisia made moderate advancement in efforts to eliminate the worst forms of child labor. The Ministry of Social Affairs published a list of hazardous work that is prohibited for children. The Ministry of Education also introduced a new Second Chance program for children who dropped out of school that would assist them in either completing their education or receiving vocational training. In addition, the government provided cash transfers to families to help mitigate the economic impacts of the COVID-19 pandemic. However, children in Tunisia are subjected to the worst forms of child labor, including in forced labor in domestic work and begging, each sometimes as a result of human trafficking. Children also perform dangerous tasks in scavenging for garbage and in street work. The law's minimum age protections cannot be enforced with respect to children who are engaged in work on inhabited premises, such as private homes, without permission of the property owner, a complaint to child protection delegates, or a court order to access the property. The government provided partial data on its criminal law enforcement efforts for inclusion in this report.



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Tunisia are subjected to the worst forms of child labor, including in forced labor in domestic work and begging, each sometimes as a result of human trafficking. Children also perform dangerous tasks in scavenging for garbage and in street work. (1-5) Table 1 provides key indicators on children's work and education in Tunisia.

**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 (%)		95.1

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (6)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 4 (MICS 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, activities unknown (1,3,8-11)
	Fishing, activities unknown (3)
	Animal husbandry, activities unknown (3)
	Forestry, activities unknown (3)
Industry	Construction, activities unknown (3,4,11)
	Manufacturing, activities unknown (3)
Services	Domestic work† (1,3,4,9,12)
	Street work, including shining shoes, begging, vending, auto washing and repairing, and scavenging garbage† (1,3,10,12-14)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (4,8,14-21)
	Use in illicit activities, including stealing, smuggling, and drug trafficking (4,8,10,11,13-15,19,20)
	Forced labor in domestic work and begging, each sometimes as a result of human trafficking (3-5,8,10,14,22,23)

† 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.

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Refugees and migrants who lack legal documentation, including child migrants, from Sub-Saharan countries and those fleeing unrest in neighboring countries are vulnerable to labor exploitation because refugees and migrants do not have the status to legally work in Tunisia. (24) Young girls from Tunisia’s northwest and other interior regions are particularly vulnerable to human trafficking. (5,14,21,23) A 2017 National Child Labor Survey indicated that 7.9 percent of all children are engaged in child labor, 63.2 percent of whom are involved in hazardous work. The northwest region—consisting of the governorates of Béja, Jendouba, Kef, and Siliana—registered the highest incidence of child labor at 27.7 percent. (3) Figures from the report indicate that children between the ages of 5 and 17 work, with 48.8 percent engaged in agriculture and fishing, 20.2 percent in commerce, 10.9 percent in manufacturing, 6.4 percent in domestic work, and 4.7 percent in construction. (3,4) The government has not yet made the full dataset from the 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 and household poverty. (1,4,8,10,25) Middle and high school completion rates in poor and rural communities remain significantly lower than in wealthy and urban areas. (26) It is estimated that approximately 100,000 students drop out each year, some because of physical violence in schools. (9,10,27,28)

## 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’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 53 of the Labor Code (29)
Minimum Age for Hazardous Work	Yes	18	Article 58 of the Labor Code (29)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Ministry of Social Affairs Order of April 1, 2020 (30)
Prohibition of Forced Labor	Yes		Articles 105, 171, 224, and 250 of the Penal Code; Articles 2.1, 2.5, 2.6, and 8.0 of the Law on the Prevention and the Fight Against the Trafficking of Persons (31,32)
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 (32)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 226 <i>ter</i> and 232, and 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 (31-33)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Articles 5 and 11 of Law No. 92.52 on Narcotics (34)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 2 of the National Service Law (35)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 2 of the National Service Law (35)
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 (32,33)
Compulsory Education Age	Yes	16	Section 1 of the Law on Education (36)
Free Public Education	Yes		Articles 38 and 46 of the Constitution; Law on Education (36,37)

In April 2020, the Ministry of Social Affairs (MSA) published a comprehensive list of hazardous work activities that are prohibited for children under age 18. (1) In addition, the Ministry of Women, Family and the Elderly (MWFE) presented a draft law to the Parliament which prohibits employing or assisting in the employment of children in domestic service. This law was not approved by Parliament during the reporting period. (1) In 2019, Tunisia became the 45th state to accede to the Council of Europe's Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse. The Convention entered into force on February 1, 2020. (19,38)

### 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 enforcement agencies that may hinder adequate enforcement of 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. (8,29) Employs social workers and medical inspectors to assist in addressing issues of child labor. (4) Collaborates with the Ministry of Education (MOE) and the Ministry of Health (MOH) to identify and provide support to children vulnerable to child labor. (8,10,17) Monitors the implementation of labor legislation, investigates violations, and initiates prosecutions through the General Directorate of Labor Inspection. Investigates cases of children working under the age of 18 and provides medical testing for children. (20) Implements social and orientation programs for minors related to child labor through the General Administration for Social Development. (20) Is authorized to conduct unannounced inspections and to issue penalties, except for work performed on inhabited premises, such as private homes. (29)
Ministry of Women, Family and the Elderly (MWFE)	Previously the Ministry of Women, Family, and Children, gathers evidence and conducts investigations on child welfare cases; conducts needs assessments and intervention plans. Provides services to child victims of commercial sexual exploitation. (1) Trains child protection delegates to combat child labor in the field through coordination with local governments and civil society. (1) Acts as judicial police in cases of imminent danger to children through its Delegates for the Protection of Children. (10,33)
Ministry of the Interior (MOI)	Investigates reports of the worst forms of child labor as a criminal violation, including complaints that fall outside of the labor inspectorate's mandate and those pertaining to the informal sector. (13) Through its Child Protection Service in the National Police addresses the commercial sexual exploitation of children and coordinates with MSA and MWFE regarding violations. (1,8,10) Through its Judicial Police, coordinates with MSA to refer cases of at-risk youth. (8,39-41)
Ministry of Justice (MOJ)	Coordinates anti-human trafficking efforts and the criminal enforcement of child labor laws. (17)

In 2020, the MWFE and MSA published internal reports on their 2019 activities to address child labor. The MSA and National Authority to Combat Trafficking in Persons also prepared and distributed a guide on the laws and regulations relating to child labor for law enforcement officials and child advocates. In addition, they organized a strategic workshop as part of Tunisia's commitment as a Pathfinder country of the Alliance 8.7, a global partnership dedicated to the fight against child labor, human trafficking, forced labor, and modern slavery. (1)

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### Labor Law Enforcement

In 2020, 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, such as the MSA's inability to perform inspections on inhabited premises without a court order or the owner's permission.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$5,310,000 (42,43)	Unknown (1)
Number of Labor Inspectors	331 (20)	329 (1)
Inspectorate Authorized to Assess Penalties	Yes (29)	Yes (29)
Initial Training for New Labor Inspectors	Yes (1,42,43)	Unknown (1)
Training on New Laws Related to Child Labor	N/A (20)	Unknown (1)
Refresher Courses Provided	Yes (1,42,43)	Unknown (1)
Number of Labor Inspections Conducted	18,027(1)	Unknown (1)
Number Conducted at Worksite	18,270 (1)	Unknown (1)
Number of Child Labor Violations Found	67 (1)	Unknown (1)
Number of Child Labor Violations for Which Penalties Were Imposed	33 (1)	Unknown (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (1)
Routine Inspections Conducted	Yes (1)	Yes (44)
Routine Inspections Targeted	Yes (1)	Yes (44)
Unannounced Inspections Permitted	Yes (1,20)	Yes (29)
Unannounced Inspections Conducted	Yes (1,20)	Unknown (1)
Complaint Mechanism Exists	Yes (1,20)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (1,42,43)	Yes (1)

The MSA employs 329 labor inspectors, 26 of whom are specifically dedicated to monitoring child labor issues. (1) However, labor law enforcement mechanisms are unable to enforce the minimum age protections for children on inhabited premises, such as children employed in domestic service in private homes, without permission of the property owner or a court order. (1,4,8,10) Child protection delegates may enter private homes in response to complaints and impose penalties, and a complaint mechanism exists which may be used by both citizens and officials. 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. (1) Although there are labor inspectors who monitor the informal sector in Ariana, Jendouba, Medenine, Sfax, Sousse, Tunis, and Tozeur, ministry officials note that the labor inspectorate lacks resources to adequately monitor the informal economy throughout the country. Informal work accounts for an estimated 38 percent of the country's GDP and employs approximately 54 percent of the country's total workforce. (4,8,10,11,28,45) Although the MSA has provided training for new hires and ongoing training for its inspectors in previous years, in-person training for labor inspectors was limited during the reporting period as a result of restrictions related to the pandemic. (1)

The government did not provide specific data on child labor law enforcement for inclusion in this report. (1,20,43) Penalties for violating child labor laws are weak, ranging from approximately \$7 to \$21, and are insufficient to deter potential violators. (1,12)

### Criminal Law Enforcement

In 2020, 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 digitized criminal justice data.



**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown	Unknown (1)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (1)
Refresher Courses Provided	Unknown	Yes (44)
Number of Investigations	429 (44)	94 (44)
Number of Violations Found	Unknown	82 (44)
Number of Prosecutions Initiated	9 (44)	17 (44)
Number of Convictions	Unknown	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Yes (1)

In 2020, the Ministry of the Interior (MOI) identified two cases involving the labor exploitation of foreign children, as well as five Tunisian children subjected to commercial sexual exploitation in the production of pornography. Ten children were reported as being involved in organized crime, including in drug-related activities. (1)

In accordance with the 2018 introduction of Law No. 58 on violence against women, 380 police officers have been trained to provide assistance to vulnerable populations including child perpetrators and victims of crime. The government is also continuing to work with UNICEF to strengthen the capacity of law enforcement and the courts to address child welfare issues and provide child protection services to adolescents in conflict with the law. (1) For example, UNICEF's legal support was provided to three girls in Kasserine who were initially charged with prostitution as a result of being trafficked for the purposes of commercial sexual exploitation; they were subsequently released and their cases dismissed after legal intervention. (44)

The government provided only partial information on its criminal law enforcement efforts for inclusion in this report. Information was drawn from the records of eight tribunals, in part because the Ministry of Justice does not maintain comprehensive data as most records are not digitized. (1)

Laws that penalize trafficking in persons offenses carry sufficiently stringent penalties, but judges are frequently reluctant to convict on these charges due in part to a low level of awareness on the part of police and judicial authorities of the proper application of the anti-trafficking law and their limited understanding of how to handle human trafficking cases. (1,12) Although the MOI reports that children under the age of 18 are not routinely detained for involvement in illicit activities, there have been isolated incidents of law enforcement punishing children for their subjugation to the worst forms of child labor. (1,12)

#### 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
The Leadership Committee to Combat Child Labor	As part of the Child Labor National Action Plan (PAN-TN), coordinates efforts to combat child labor. Led by MSA, includes membership of 11 other ministries and 3 unions, with support from ILO. (13) Met several times in 2020. (46)
National Authority to Combat Trafficking in Persons (Instance Nationale de Lutte Contre la Traite des Personnes)	Led by MOJ, coordinates anti-human trafficking efforts and raises 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. (17,40,47-49)

In 2020, the National Authority to Combat Trafficking in Persons, in cooperation with the Council of Europe, distributed cards that explain the rights of human trafficking victims. The cards feature a non-exhaustive list of government and non-governmental support services available to human trafficking victims. (1)

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### 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
Child Labor National Action Plan (PAN-TN) (2015–2020)	Raised awareness, built the capacity of stakeholders, encouraged action from NGOs and the public, improved policies, and promoted the implementation of existing laws and policies. (13,50,51) In February 2020, worked with MSA to release a practical guide on intervention in child labor that compiles relevant legal texts and implementing regulations for ease of use by stakeholders. (1)
National Strategy for the Combat of Trafficking in Persons (2018–2023)	Aims to establish a global evidence-based approach to address trafficking in persons by coordinating national and international actors. (5,14) Conducted trainings, created pandemic contingency plans, and raised awareness on human trafficking through Public Service Announcements (PSAs) on labor contract rights in 2020. (44)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 Project (PROTECTE)	A \$3 million project implemented by ILO that aims to strengthen Tunisia's ability to implement its Child Labor National Action Plan, a multi-stakeholder effort involving government, business, and civil society both at the central and rural levels. Additional information is available on the USDOL website. In 2020, enabled the MSA to create two regional steering committees in Sfax and Jendouba as a pilot project to combat child labor. In November 2020, provided personal protective equipment and digital tablets to the Centers for the Social Protection of Children in Tunis and Sidi Bouzid, and to the Social Observation Centre for Children in Manouba. (1)
Support Efforts to Combat Human Trafficking (2014–2022)	USDOS-funded project implemented by IOM to carry out anti-human trafficking activities in collaboration with MOJ, MOI, MSA, and MWFE. Includes three objectives: (1) build the capacity of relevant institutions and agencies to identify and assist victims of human trafficking based on their individual needs; (2) strengthen cross-sector cooperation and the sharing of information through the implementation of a national referral mechanism; and (3) conduct an awareness-raising campaign to keep children in school and discourage illegal migration that could lead to human trafficking. (1)
Centers to Provide Aid to Victims of Child Labor†	Serves up to 6,000 children engaged in child labor or vulnerable to child labor through the maintenance of 79 youth centers.(53) In 2020, operated with the exception of COVID-19 mandated closures for public institutions. (44)
Shelters and Services for Victims of Human Trafficking†	Serves victims of human trafficking, predominantly children, through the operation of shelters by the Government of Tunisia. Provides lodging, food, clothing, psychological services, legal aid through a network of pro bono lawyers, and free medical care in collaboration with MOH. Places adults and unaccompanied children in dedicated centers to receive schooling. (15,41,54,55) Remained open in 2020.(44)
Programs to Reduce School Dropout Rates‡	MOE-funded School Dropout Prevention Program that maintains about 2,300 social protection units in schools and mobile units in rural areas to monitor students and prevent them from dropping out. (53) Includes a project operated by the Ministry of Vocational Training and Employment to incorporate students who have dropped out into vocational training programs. (20) In 2020, remained operational with the exception of pandemic-mandated closures for public institutions. (44)
UNICEF Country Program Document (2021–2025)	In 2020, released an updated country strategy for 2021–2025 that focuses on inclusive socioeconomic development; accountable institutions for children and access to justice; effective education; health and protection systems, sustainable management of water, sanitation and hygiene; environmental and disaster risks, and other crises. (1,52)
Second Chance Program	Pilot program funded by MOE to reintegrate school dropouts ages 12 to 18 back into the educational system or provide them with vocational training. (1)

† 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. (40,54)

The government provided cash transfers to some needy families in April and May 2020 to ease the economic impact of the pandemic. The MSA noted in its June statement for the World Day Against Child Labor that

the pandemic and subsequent lockdown heightened the vulnerability of children and low-income families to exploitative labor. (1) The MSA also worked within the framework of the PROTECTE project to support vulnerable social groups and actors in protecting children and childcare facilities from the negative effects of the pandemic, and the government is planning a study on the impact of the pandemic on child labor in a number of regions. (1) 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, fishing, commerce, manufacturing, domestic work, and construction. (13) In addition, while the National Authority works to ensure the safety of child victims of labor exploitation and trafficking in persons, options for victims' long-term support and possible relocation remain extremely limited. (12,21)

The Second Chance program was founded during the reporting period to address the vulnerability of children who left school before completing compulsory education. The program is being undertaken in cooperation with UNICEF, the Government of the United Kingdom, and several government ministries including the Ministry of Youth and Sports, the Ministry of Vocational Training and Employment, and the MSA. (1,53) In September, the Ministry of Education inaugurated a second chance school based in Tunis that targets thousands of school dropouts each year. A team has been trained to evaluate, support, and supervise students wishing to return to school. (1,53) Classes will focus on integration into professional life, computer science, mathematics, and skills acquisition. The pilot program is scheduled to expand to additional regions during 2021–2022. (1,53)

## 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
Enforcement	Provide adequate staff and other resources, including fuel and transportation, to enable the labor inspectorate to conduct a greater number of inspections, particularly in remote areas and in the informal economy.	2015 – 2020
	Ensure that mechanisms exist to enforce the minimum age protections for children working on inhabited premises, such as private homes, without permission of the property owner or a court order.	2014 – 2020
	Collect and publish information related to the enforcement of child labor laws, including the funding of the labor inspectorate, the training of labor inspectors, the number and types of labor inspections conducted, and the number of child labor violations found, penalties imposed, and penalties collected.	2013 – 2020
	Collect and publish information on criminal law enforcement of child labor laws, including on law enforcement training and the number of criminal child labor investigations that were initiated, violations identified, prosecutions initiated, convictions secured, and penalties imposed for the worst forms of child labor.	2019 – 2020
	Increase penalties for those who employ children in violation of child labor law protections to deter potential violations and reduce recidivism.	2016 – 2020
	Ensure that law enforcement and the judiciary are fully informed as to the existence and application of anti-trafficking penalties, and impose when appropriate.	2020
Government Policies	Publish information on whether all social policies are able to carry out their intended mandates.	2020
Social Programs	Publish the microdata of the 2017 National Child Labor Survey so that the information can inform programming and policies.	2017 – 2020
	Address barriers to education, especially for children in rural areas, such as unreliable transportation, household poverty, and physical violence in schools.	2015 – 2020
	Ensure that social programs have sufficient resources to carry out their mandates.	2020
	Expand existing programs to fully address the scope of the child labor problem, including in agriculture, fishing, commerce, manufacturing, domestic work, and construction.	2015 – 2020
	Establish long-term support and relocation options for victims of child labor and trafficking in persons.	2020

## MODERATE ADVANCEMENT

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In 2020, Tuvalu made moderate advancement in efforts to eliminate the worst forms of child labor. During the reporting period, the government, with support from UNICEF, conducted the 2019–2020 Tuvalu Social Development Indicator Survey to assess the prevalence and cause of child labor. The government also secured a Global Partnership for Education grant to help develop remote learning materials and provide teachers with training on remote learning interventions. In addition, the government finalized the 2017 Child Care and Welfare Bill, which, if passed, will be the first law in Tuvalu to have comprehensive provisions for issues related to children's rights, including child labor. 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 information on labor law and criminal law enforcement efforts.

### 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. (1,2) 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 (%)		78.7

Source for primary completion rate: Data from 2018, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data were unavailable from International Labor Organization's analysis, 2021. (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	Fishing, activities unknown (5)
Services	Domestic work (5)




During the reporting period, the government, with support from UNICEF, conducted the 2019–2020 Tuvalu Social Development Indicator Survey. The survey is expected to assess the prevalence and cause of child labor. (5)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Tuvalu has ratified some key international conventions concerning child labor (Table 3).

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**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 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 Labor and Employment Relations Act (6,7)
Minimum Age for Hazardous Work	Yes	18	Article 44 of the Labor 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 Labor and Employment Relations Act; Articles 244 and 249 of the Penal Code; Article 69 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 Labor and Employment Relations Act; Articles 136–143 and 166 of the Penal Code (6-8)
Prohibition of Using Children in Illicit Activities	Yes		Article 46 of the Labor 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 Labor 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 government finalized the 2017 Child Care and Welfare Bill. If passed into law, it will be the first law in Tuvalu to make comprehensive provisions for issues related to children's rights, including child labor. (5)

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 age 18 in the industrial, mining, and fishing sectors. (1,7,13)

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)

Research did not find any laws in Tuvalu that provide free basic education; however, there is a policy that provides for free basic education. (2)

### 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 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	Enforces labor laws, including those related to child labor. (14)
Tuvalu Police Force	Investigates and enforces criminal laws related to the worst forms of child labor. (2,6,14)

#### **Labor Law Enforcement**

In 2020, 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 the lack of information on labor law enforcement.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$62,000 (2)	Unknown (5)
Number of Labor Inspectors	4 (2)	4 (5)
Inspectorate Authorized to Assess Penalties	Unknown (2)	Unknown (7)
Initial Training for New Labor Inspectors	Unknown (2)	No (5)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (2)	No (5)
Number of Labor Inspections Conducted	Unknown (2)	Unknown (5)
Number Conducted at Worksite	Unknown (2)	Unknown (5)
Number of Child Labor Violations Found	0 (2)	Unknown (5)
Number of Child Labor Violations for Which Penalties Were Imposed	0 (2)	Unknown (5)
Number of Child Labor Penalties Imposed that Were Collected	0 (2)	Unknown (5)
Routine Inspections Conducted	Yes (2)	Unknown (5)
Routine Inspections Targeted	Yes (2)	No (5)
Unannounced Inspections Permitted	Yes (2)	Yes (7)
Unannounced Inspections Conducted	Unknown (2)	Unknown (5)
Complaint Mechanism Exists	Yes (2)	Yes (5)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (5)

Although information on the breakdown of the allocation to the labor inspectorate is not available, Tuvalu's small population and the concentration of child labor occurring in its capital, Funafuti, suggests that the financial resource allocation appeared to be adequate in addressing child labor in Tuvalu. (2) However, the government did not provide information on its labor law enforcement efforts for inclusion in this report.

#### **Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Tuvalu took actions to combat child labor (Table 7).

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**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (2)	Unknown (5)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (2)	Unknown (5)
Refresher Courses Provided	Unknown (2)	Unknown (5)
Number of Investigations	0 (2)	Unknown (5)
Number of Violations Found	0 (2)	Unknown (5)
Number of Prosecutions Initiated	0 (2)	Unknown (5)
Number of Convictions	0 (2)	0 (5)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (2)	Unknown (5)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (5)

The government did not provide information on its criminal law enforcement efforts 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
National Advisory Committee on the Convention on the Rights of the Child	Coordinates child protection issues and implements the Convention on the Rights of the Child. Led by the Ministry of Education, and includes the Police and Ministries of Labor and Social Welfare. (5) Maintains a Child Protection Desk to support and coordinate the implementation of child protection efforts, and ensures coherence of child protection intervention efforts. This coordinating body was active during the reporting period. (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
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) Aligned with the UNICEF Pacific Multi-Country Child Protection Program, which supported the Social Development Indicator Survey during the reporting period. (16)
Tuvalu Human Rights National Action Plan (2016–2020)	Consolidates the government's human rights coordination and delivery of services, including implementation of the UN CRC. (17) Research was unable to determine whether activities were undertaken to implement this policy during the reporting period.
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. (18) During the reporting period, the government held consultations throughout the country, and the Ministry of Home Affairs and Rural Development coordinated with UNICEF for technical assistance to implement the Child Protection Policy and Work Plan. (5, 16)
Free Education Policy	Provides free primary education for all children in Tuvalu. (11) This policy was active during the reporting period. (5)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (2)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 lack of 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. (19) Prioritizes children's rights, including the elimination of the worst forms of child labor. Aligned with the UN Pacific Strategy 2018–2022. (19) During the reporting period, UNICEF funded child protection interventions in Tuvalu. (5)

‡ The government had other social programs that may have addressed child labor issues or had an impact on child labor. (5)

Due to the COVID-19 pandemic and possible disruptions to education, the Government of Tuvalu secured a grant from the Global Partnership for Education during the reporting period. The grant helped the government develop remote learning materials, such as radio lessons, paper-based learning materials, and video lessons, along with training for teachers and education stakeholders on remote learning interventions. (5)

Research found no evidence of programs that 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	Accede to the UN CRC Optional Protocol on Armed Conflict.	2013 – 2020
	Accede to the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2020
	Accede to the Palermo Protocol.	2013 – 2020
	Determine the types of hazardous work prohibited for all children in consultation with employers' and workers' organizations.	2017 – 2020
	Ensure that the law prescribes a harsher punishment for individuals involved in the trafficking of children than for those involved in the trafficking of adults.	2019 – 2020
	Establish by law free basic public education.	2019 – 2020
Enforcement	Publish labor law enforcement information, including labor inspectorate funding, ability to assess penalties, the number of labor inspections conducted, number of labor inspections conducted at worksite, number of child labor violations found, number of child labor violations for which penalties were imposed, number of child labor penalties imposed that were collected, whether routine inspections were conducted, and whether unannounced inspections were conducted.	2016 – 2020
	Institutionalize training for labor inspectors, including by training new labor inspectors at the beginning of their employment and providing refresher courses.	2020
	Strengthen the labor inspectorate by initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2020
	Publish information on criminal law enforcement efforts, including initial training for new criminal investigators, training on new laws related to the worst forms of child labor, whether refresher courses were provided, number of investigations related to the worst forms of child labor, number of violations found, number of prosecutions initiated, and number of imposed penalties for violations related to the worst forms of child labor.	2017 – 2020
Government Policies	Publish activities undertaken to implement the Tuvalu Human Rights National Action Plan (2016–2020) during the reporting period.	2020
Social Programs	Collect and publish data on the extent and nature of child labor, including in the fishing sector, to inform policies and programs.	2010 – 2020
	Institute programs to address child labor in the fishing sector.	2009 – 2020



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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Uganda made minimal advancement in efforts to eliminate the worst forms of child labor. Uganda launched new policies to address the worst forms of child labor, including an action plan to combat trafficking in persons and a child protection policy that prioritizes the elimination of child labor. In partnership with international stakeholders, Uganda also began implementing the Accelerating Action for the Elimination of Child Labor in Supply Chains in Africa program, specifically targeting child labor in coffee and tea production. However, despite new initiatives to address child labor, Uganda is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate child labor. The government failed to prosecute, convict, and sentence public officials, including police and immigration officers, who participate in or facilitate the worst forms of child labor, including child trafficking. Children in Uganda are subjected to 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. Gaps in the legal framework persist, including inadequate laws regulating the minimum age for employment and hazardous work. In addition, the lack of a centralized supervisory authority along with inadequate funding, training, and resources, hampered the capacity of law enforcement agencies to conduct child labor inspections and investigations. Finally, the government has not taken steps to implement its National Action Plan for the Elimination of Child Labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uganda are subjected to 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. (4-6) Table I provides key indicators on children's work and education in Uganda.

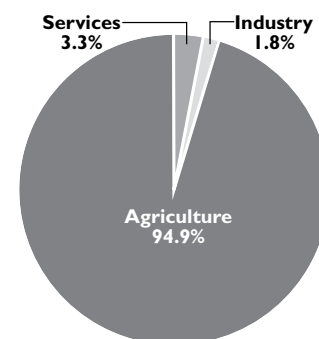
**Table I. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5 to 14	22.2 (2,525,644)
Attending School (%)	5 to 14	85.1
Combining Work and School (%)	7 to 14	25.9
Primary Completion Rate (%)		52.7

Source for primary completion rate: Data from 2017, published by UNESCO Institute for Statistics, 2021. (7)

Source for all other data: International Labor Organization's analysis of statistics from Labour Force Survey (LFS), 2016–17. (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	Cultivating and harvesting cocoa, coffee, corn, tea,† tobacco,† rice,† sugarcane,† and vanilla, and acting as scarecrows in rice fields (9-15)
	Working with livestock, including herding cattle† (2,10,14-17)
	Fishing,† including catching, smoking,† and selling fish, and paddling† and loading boats† (2,10,15,16,18,19)
	Producing charcoal (10)
	Collecting grasshoppers (2,15-17)
Industry	Construction,† including making and laying bricks (2,14-16)
	Quarrying stone† and mining gold, sand,† tin, and salt (2,4,10,15,16,18,20-22)
	Manufacturing, including in steel rolling mills† and carpentry workshops† (2,10,16)
Services	Domestic work† (1,2,14,16-18,23,24)
	Street work, including vending,† begging,† car washing,† working as porters,† scavenging,† and collecting and selling scrap metal (1,2,10,15-17,25,26)
	Working in hair salons, hotels,† restaurants,† bars,† and video halls† (2,10,14-16,25)
	Collecting firewood for sale (27)
	Producing alcoholic beverages (2,16,28)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,15-17,25,29)
	Forced labor in agriculture, fishing, cattle herding, working in bars and restaurants, begging, brickmaking, mining, stone quarrying, street vending, and domestic work, each sometimes as a result of human trafficking (3,16,17,28,30)
	Use in the production of pornography and pornographic performances (2,16,31)
	Use in illicit activities, including smuggling, burglary, and car and house break-ins, each sometimes as a result of human trafficking (2,10,15,16)

† 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.

Both boys and girls are vulnerable to human trafficking for commercial sexual exploitation in Uganda. (3) Although child victims of human trafficking have typically been trafficked internally from rural to urban areas, 2019 reports highlighted the trafficking of children to countries such as Kenya and Somalia. (32-34) Some children have also been trafficked as far as the Middle East and South Central Asia. (35) Children from rural areas, especially the Karamoja region, are vulnerable to human trafficking, and at times willingly migrate to Kampala and other urban centers, where they engage in begging, street vending, and domestic work, or are victims of commercial sexual exploitation. (1,3,34) NGO and media reports have indicated that children from Karamoja are sold in open-air markets or through intermediaries and forced into domestic work, begging, cattle herding, and commercial sexual exploitation. (2,3,36,37) Well-organized networks of traffickers run by "elders" force children into street begging and, for girls, into commercial sexual exploitation. These children are often physically abused for failing to collect an established amount of money. (3) Children from neighboring countries are exploited in forced agricultural labor and commercial sexual exploitation in Uganda. (3)

The results from the last National Labour Force Survey, published in 2018, show that an estimated 2,057,000 children are involved in child labor. The government completed collection of new data on child labor during the reporting period, but the data were pending validation as of January 2021. (15,38) However, government officials and civil society organizations indicate that as a result of the COVID-19 pandemic, child labor rates increased after a government-imposed lockdown and the closure of schools from March 2020 through October 2020. The prevalence of children working in markets, on farms, in mines, and as domestic workers, as well as children used for commercial sexual exploitation, increased during the reporting period. (15) Girls were found to be working in gold mines in Karamoja in northern Uganda, and boys grazed cattle in Rwenzori in western Uganda. Meanwhile, children in the Bidibibi refugee settlement in northwestern Uganda were engaged in hazardous labor, including working on farms, and as domestic workers, which may include working long hours and physical, verbal, and sexual abuse. (15,39)

Although the law provides for free compulsory education, the cost of school supplies, uniforms, and other materials often prohibits children from attending school. (2,6,18,40-42) Research also found that children

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experience physical and sexual abuse at school by teachers and classmates. (31) Furthermore, a lack of teachers and school infrastructure, and poor transportation in remote rural areas, have created barriers to children's access to education. (2,16,43) Although schools reopened in October 2020, this was only for children taking national exams, which accounted for only 1.2 million out of 15 million students. The Government of Uganda implemented alternative instruction strategies such as printed materials, and radio and televised instruction, but poor and vulnerable children were less likely to be able to access the alternative resources. (15)

Although laws on free compulsory education apply equally to refugee children, refugee children are often not enrolled in or not attending school. Girls, especially those in refugee camps, are at particular risk of being out of school and vulnerable to exploitation due to pressure to undertake domestic duties, gender-based violence, and harassment. (35,44,45) 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. (46) 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. (47)

## 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	No	16	Section 7 of the Children (Amendment) Act (48)
Minimum Age for Hazardous Work	No	18	Section 7 of the Children (Amendment) Act; Section 32 of the Employment Act; Regulations 5 and 8 of the Employment (Employment of Children) Regulations (48-50)
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 (48,50)
Prohibition of Forced Labor	Yes		Sections 2 and 5 of the Employment Act; Sections 3–5 of the Prevention of Trafficking in Persons Act (49,51)
Prohibition of Child Trafficking	Yes		Section 8 of the Children (Amendment) Act; Sections 2–5 of the Prevention of Trafficking in Persons Act (48,51)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Section 8A of the Children (Amendment) Act; Sections 2–5 of the Prevention of Trafficking in Persons Act; Sections 131 and 139 of the Penal Code; Section 14 of the Anti-Pornography Act (48,51-53)

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

Standard	Meets International Standards	Age	Legislation
Prohibition of Using Children in Illicit Activities	Yes		Article 5(d) of the Prevention of Trafficking in Persons Act; Narcotic Drugs and Psychotropic Substances (Control) Act (51,54)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 52(2)(c) of the Defence Forces Act (55)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 5(b) of the Prevention of Trafficking in Persons Act (51)
Compulsory Education Age	No	13‡	Section 2 and 10(3)(a) of the Education Act (40)
Free Public Education	No		Section 10(3)(a) of the Education Act (40)

\* No conscription (55)

‡ Age calculated based on available information (40)

Although the Children (Amendment) Act establishes age 16 as the minimum age for work, the Employment Act enables children as young as age 12 to work. (48,49) The law's minimum age protections do not apply to children working without a formal employment relationship, which does not conform to international standards that require all children to be protected by the minimum age to work. (49) 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. (50) 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. Completion of the process was expected in 2020, but due to the pandemic, the government now expects to finalize the revisions in December 2021. (15,16) The process will require approval from the cabinet, parliament, and the president before enactment. (2)

Uganda's Prevention of Trafficking in Persons Act complies with international standards on prohibiting child trafficking. However, the Children (Amendment) Act conflicts with the Prevention of Trafficking in Persons Act in that it defines child trafficking as requiring force, fraud, or coercion. (29,48,51)

Children in Uganda are required to attend school only up to age 13. (40) 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. Finally, although Uganda has adopted policies to extend universal education through secondary level, by law free education is limited to the primary level. (40,56)

### 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 enforcement agencies 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. (57) Includes the Industrial Court, which judges labor dispute cases that are referred by labor officers. (10) Operates the Uganda Child Helpline known as Sauti. (58)
Ministry of Internal Affairs	Enforces criminal laws on the worst forms of child labor. The Uganda Police Force's Child and Family Protection Unit 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. (10)



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

Organization/Agency	Role
Ministry of Local Government	Oversees district labor officers who refer cases to the Industrial Court. (10) Deploys community development officers at the district level when district labor officers are not available. (27)
Directorate of Public Prosecutions	Prosecutes criminal cases related to the worst forms of child labor that are referred by the Uganda Police Force. (59)

**Labor Law Enforcement**

In 2020, labor law enforcement agencies in Uganda took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Gender, Labor, and Social Development (MGLSD) that may hinder adequate labor law enforcement, including the ability to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown	\$320,000 (15)
Number of Labor Inspectors	81 (2)	168 (15)
Inspectorate Authorized to Assess Penalties	No (2)	No (60)
Initial Training for New Labor Inspectors	Yes (2)	Unknown (15)
Training on New Laws Related to Child Labor	N/A	N/A
Refresher Courses Provided	Yes (2)	Unknown (15)
Number of Labor Inspections Conducted	Unknown	421 (15)
Number Conducted at Worksite	Unknown	Unknown (15)
Number of Child Labor Violations Found	Unknown	Unknown (15)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown (15)
Number of Child Labor Penalties Imposed that Were Collected	Unknown	Unknown (15)
Routine Inspections Conducted	Yes (2)	Yes (15)
Routine Inspections Targeted	Yes (2)	Yes (15)
Unannounced Inspections Permitted	Yes (2)	Yes (60)
Unannounced Inspections Conducted	Yes (2)	Yes (15)
Complaint Mechanism Exists	Yes (2)	Yes (15)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (2)	Yes (15)

During the pandemic, the labor inspectorate continued to carry out inspections but inspectors reported facing increased difficulties due to the lack of personal protective equipment, fears of interacting with the public, and restrictions on movement imposed by the government for both public and private transportation. (15)

Uganda doubled the number of its labor inspectors, but it was not clear whether new inspectors received initial training during the reporting period. The MGLSD indicated that 50 labor inspectors received training during the reporting period, but details about those trainings were not available. (15) Research has shown that training in general is not sufficient because labor inspectors lack the expertise to follow through on child labor cases. Labor unions have noted that the number of inspections is insufficient and that inspections are only carried out when complaints are received. (2) Labor inspectors in Uganda have the authority to inspect private farms and residences, but the MGLSD has noted that inspectors rarely exercise this authority despite the prevalence of child domestic labor in the country. (2)

Uganda is signatory to ILO Convention 81 that requires labor inspection to be placed under the supervision and control of a central authority. (61,62) Research found, however, 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 under authority of the MGLSD. (63,64) For example, although under the Employment Act labor officers are required to submit monthly reports, in practice, the MGLSD does not receive labor reports from districts. (57) Uganda now has 168 labor officers to cover its 135 districts, but due

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to budgetary limitations and a lack of labor inspection prioritization at the district level, these officers did not have sufficient funds to regularly carry out child labor inspections. (2,15,39,43) Research also found that follow-up inspections rarely happen due to insufficient funding at the district level. (57) Given the lack of resources for inspections, local civil society organizations often train labor inspectors and even assist them in conducting inspections. (16,28)

Research found that child labor cases rarely reach the Industrial Court because of poor monitoring and the court's limited access to communities outside urban centers, where child labor is most likely to occur. (62) Finally, the number of labor inspectors is still 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 377 inspectors. (65-68) The government did not provide comprehensive information on its labor law enforcement efforts for inclusion in this report.

### **Criminal Law Enforcement**

In 2020, 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 official complicity in the commercial sexual exploitation of children.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (2)	Yes (15)
Training on New Laws Related to the Worst Forms of Child Labor	N/A	N/A
Refresher Courses Provided	No (2)	Yes (15)
Number of Investigations	Unknown	Unknown (15)
Number of Violations Found	Unknown	Unknown (15)
Number of Prosecutions Initiated	Unknown	Unknown (15)
Number of Convictions	Unknown	Unknown (15)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown	Yes (34)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (2)	Yes (15)

Law enforcement agencies and civil society organizations have acknowledged that immigration officials are complicit and involved in human trafficking, including the trafficking of children. (3,32,34) Research has also found that some police are allegedly complicit in the commercial sexual exploitation of child refugees. Other high-level government officials own or are associated with labor recruitment companies and networks of traffickers run by "elders" that engage in child trafficking. (3,32,34,66) The involvement of government officials in trafficking networks has significantly impeded operations against the worst forms of child labor. (3) Uganda's State House Anti-Corruption Unit, which works on human trafficking issues on an ad hoc basis, has initiated some investigations related to official complicity in human trafficking but has not made any of these reports public, nor has it arrested any government officials. (3,32) During the reporting period, the government carried out minimal active measures to investigate, prosecute, convict, and sentence officials complicit in facilitating the worst forms of child labor. The Judicial Service Commission launched investigations against two high court judges for complicity in irregular adoption of children after the judges were sanctioned by the U.S. Treasury. (34,69) However, charges have yet to be filed, and details of the investigation have yet to be made public. (39) One officer of the Uganda People's Defense Forces was arrested and charged with child trafficking. (34) By April 2021, the officer was out on bond. Courts typically take up to 2 or 3 years to complete a prosecution. (39)

Due to the pandemic, officials indicated that a nationwide shutdown complicated criminal law enforcement efforts related to the worst forms of child labor. Nonetheless, during the reporting period, officials filed 146 charges of child trafficking, with most of these cases involving commercial sexual exploitation of children. (34) One suspect was convicted of child trafficking and sentenced to 12 years in prison and at least 12 children were

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rescued from situations of sex trafficking after police raided 3 supposed sex parties. The government credited improved training of prosecutors with an increase in trafficking in persons cases prosecuted compared to the previous year. (34) Despite these actions, the government did not provide comprehensive data regarding its efforts to combat the worst forms of child labor for inclusion in this report.

Reports have also indicated that investigators rarely follow up on domestic child labor claims. When child domestic workers complain to their employers about not being paid, the employers report the children to the police for theft and police subsequently treat them as criminals rather than as victims who have not been paid for their work. (2)

According to the government, police officers identify and refer street children to probation officers and civil society organizations 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. (70,71) Research found that street children, including potential human trafficking victims and child laborers, have faced conflict with local authorities; however, law enforcement noted in 2020 that police are less likely to detain or beat them, in part as a result of an increased awareness about child protection issues. (29,37,39,67,72)

Research indicates there is not a sufficient number of criminal law enforcement officials responsible for investigating child labor. (10) Training of criminal investigators 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 officers misclassified cases, conducted insufficient investigations, or encouraged victims to accept payment from their traffickers to settle cases. (3,28,32)

#### 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 mechanisms.

**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 for the Elimination of Child Labor. Led by MGLSD, includes members from several ministries, the Child and Family Protection Unit, trade unions, development organizations, civil society, and media agencies. (16) The committee was reconstituted during the reporting period and was expected to resume activities by December 2020. (15)
Uganda Parliamentary Forum for Children	Multi-partisan body of Members of Parliament focused on issues affecting Ugandan children, particularly those in vulnerable situations, including street children. (2) 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. (73) Met monthly during the reporting period and began implementation of the second National Action Plan (NAP) for Prevention of Trafficking in Persons in Uganda 2019–2024. Also organized Uganda's second annual commemoration of Word Day Against Trafficking in Persons. (15)
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. (10) Met quarterly in 2020 and also held intermittent working meetings focused on child protection and improving collaboration between the government and civil society organizations. (15)
National Children Authority	Works to ensure that member organizations integrate child labor concerns into their policies and budgets. Members include 10 government agencies. (10) The government had yet to fully operationalize the National Children Authority during the reporting period, but in its limited capacity, it carried out various awareness-raising campaigns focusing on children's rights, including child labor. (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 implementation.

**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. (2,74,75) The government acknowledged that it had not fully launched the plan and indicated that it intends to implement the NAP in 2021. (15) In addition, because of the decentralized nature of inspections in Uganda, some districts have developed their own labor action plans that do not always reflect MGLSD priorities. (62)
National Child Policy 2020†	Launched in 2020 under MGLSD, seeks to coordinate the protection of child rights, focusing on abuse, neglect, exploitation, and violence. Includes prioritization of the elimination of child labor and was launched with an implementation strategy through 2025. (76,77) The plan seeks to outline the responsibilities of all stakeholders in implementing child-related policies and focuses on four basic children's rights: survival, development, protection, and participation. (76,77)
National Social Protection Policy	Aims to reduce poverty and socioeconomic inequalities for inclusive development by targeting vulnerable people, including child laborers. (78) The government continued implementing the plan during the reporting period but did not take any specific efforts to address children or child labor. (15)
National Action Plan for Prevention of Trafficking in Persons in Uganda 2019–2024†	Officially launched in 2020, the second NAP builds on lessons from the previous plan and focuses on developing sustainable systems and structures to prevent trafficking in persons; improving capacity for the identification, protection of and support for victims; improving investigations and prosecutions; and establishing cooperative relationships with international stakeholders. The launch of the plan included the release of the National Referral Guidelines for Management of Victims of Trafficking, which seek to improve coordination among stakeholders responsible for providing services to victims as well as those responsible for prosecuting criminals. (79,80)
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. (16,81) The government implemented multiple campaigns as part of the framework during the reporting period, including efforts to address menstrual hygiene health and management in schools. (15)

† Policy approved during the reporting period.

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (82,83)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Accelerating Action for the Elimination of Child Labor in Supply Chains 2018–2022 (ACCEL Africa)*	Although launched in 2018, formally implemented by the ILO and the Ministry of Foreign Affairs of the Netherlands in Uganda in 2020 in partnership with the Government of Uganda and the Federation of Ugandan Employers. The \$29 million project targets child labor in coffee and tea supply chains in the Mbale, Kabarole, Buikwe, Hoima, and Bushenyi districts. (15) During the first year of implementation, the project focused on conducting a baseline survey of child labor prevalence in the coffee and tea sectors, mapping child labor monitoring systems, and conducting child-labor awareness campaigns in the target districts. (15)
Uganda Child Helpline (Sauti)†	Funded primarily by UNICEF with in-kind contributions from MGLSD, comprises District Action Centers and a physical call center located in Wakiso that screens all calls on reported cases of child abuse. Caseworkers at District Action Centers 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. (58) During the reporting period, the hotline identified 81 victims of child trafficking, including 29 victims of domestic servitude and 4 cases of international child trafficking. The hotline also identified 72 cases of child labor. (15,34)
Realizing Livelihood Improvement Through Savings and Education 2019–2021†	NGO-implemented program in partnership with the government that focuses on addressing child labor issues in tobacco-growing regions. (31,85) During the COVID-19 pandemic, the program provided personal protective equipment to health centers in Hoima and Kikube districts as well as conducted trainings for 140 local child protection committee members. (15)

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

Program	Description
Back Home Campaign for Karamoja Children†	Government program that rescues Karamoja street children working in Kampala and places them in rehabilitation centers in Wakiso and Moroto districts before reuniting them with their families. (16,86) In 2020, the program ceased focusing on resettlement efforts and instead implemented campaigns to encourage children to stay in school. Nonetheless, funds from the program were still used in early 2020 to assist in removing 202 children from the streets of Kampala. (15)

\* Program was launched during the reporting period.

† 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. (87-89)

Although Uganda has implemented programs that address child labor, the scope of these programs is insufficient to fully address the extent of the problem, particularly in mining and commercial sexual exploitation. For example, the government lacks its own facilities to house child victims of labor exploitation or human trafficking, and must instead rely on local community services organizations. (2,15) Furthermore, the MGLSD has noted that programs are concentrated in specific districts and thus do not cover child labor issues throughout the country. (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 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 – 2020
	Ensure that all children are protected by a consistent minimum age for work law, including children who do not work under a formal employment relationship.	2016 – 2020
	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 – 2020
	Align the definition of child trafficking in the Children (Amendment) Act with international standards by ensuring that force, fraud, or coercion are not required elements in child trafficking cases.	2019 – 2020
	Ensure that the law requires free, compulsory education up to age 16 so that it is commensurate with the minimum age for work.	2009 – 2020
Enforcement	Publish information on trainings offered to inspectors, worksite inspections conducted, number of child labor violations found, number of child labor penalties imposed, and number of penalties collected.	2013 – 2020
	Enhance the authority of the labor inspectorate by enabling it to assess penalties and ensure the inspectorate is using its existing authorities to inspect private farms and homes and to conduct sufficient routine and unannounced inspections.	2017 – 2020
	Provide sufficient training to labor inspectors, initial training to new criminal investigators, and refresher training to existing investigators, to ensure that officials understand and are able to identify, categorize, and investigate child labor cases.	2019 – 2020
	Provide the labor inspectorate with sufficient funding and resources at the district level to ensure that inspectors are present in all districts and are able to carry out their duties.	2013 – 2020
	Improve coordination between national and district-level child labor enforcement bodies to ensure that relevant data are shared and child labor inspections are prioritized across the country.	2019 – 2020
	Ensure that child labor cases reach the Industrial Court and that penalties are assessed by addressing monitoring issues and improving the court's reach outside urban centers.	2019 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2009 – 2020
	Publish disaggregated data on number of investigations, violations, prosecutions initiated, convictions achieved, and penalties imposed for the worst forms of child labor.	2017 – 2020
	Significantly increase efforts to investigate, prosecute, and, as appropriate, convict and sentence government officials for their role in the worst forms of child labor, including child trafficking.	2019 – 2020



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

Area	Suggested Action	Year(s) Suggested
Enforcement	Strengthen mechanisms for following up on child labor claims and referring street children, including potential human trafficking victims, to social services providers, and prevent these children from being detained and abused by police.	2015 – 2020
	Increase the capacity of criminal law enforcement agencies to respond to the worst forms of child labor by dedicating more personnel to worst forms of child labor cases and improving training for criminal law enforcement staff.	2020
Coordination	Ensure that coordinating mechanisms are active and sufficiently funded to be able to operate and carry out their mandates.	2019 – 2020
Government Policies	Ensure that district labor action plans reflect the Ministry of Gender, Labor, and Social Development's priorities.	2018 – 2020
	Ensure that existing policies addressing child labor are implemented as intended.	2018 – 2020
Social Programs	Enhance efforts to eliminate barriers and make education accessible for all children by eliminating costs for supplies, uniforms, and materials; addressing physical and sexual violence; and ensuring sufficient teachers, infrastructure, and transportation in rural areas.	2012 – 2020
	Enhance efforts to ensure that refugee children have equal access to educational opportunities by addressing gender-based violence and exploitation, harassment, and refugee discrimination; accommodating the language needs of refugee students; and ensuring that there are well-equipped schools accessible to refugee settlements.	2012 – 2020
	Ensure the availability of shelters for victims of child labor, including child trafficking victims.	2017 – 2020
	Expand existing social programs to address the scope of the child labor problem, particularly in mining and commercial sexual exploitation, in all areas of the country.	2009 – 2020

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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

In 2020, Ukraine made minimal advancement in efforts to eliminate the worst forms of child labor. During the reporting period, Ukraine’s Cabinet of Ministers adopted a resolution implementing a risk-based approach to conducting planned inspections, including the use of child labor as one of the criteria for assessing risk. It also implemented measures to address undocumented work, including signing a Memorandum of Understanding on decent work with the International Labor Organization. The number of labor inspectors increased significantly from 2019, and the government reported that all inspections were unannounced. However, despite new initiatives to address child labor, Ukraine is receiving an assessment of minimal advancement because it continues to implement a regression in law that delayed advancement in eliminating the worst forms of child labor. In August 2019, the government issued Cabinet of Ministers Decree No. 823, which requires that businesses receive notification at least 5 working days in advance of an onsite labor inspection where previously no such notification was required. Although unannounced inspections reportedly took place during the reporting period, the decree remains in place. Children in Ukraine are subjected to the worst forms of child labor, including in the production of pornography. Children also perform dangerous tasks in mining. Children living in the Russia-controlled Donbas region of eastern Ukraine and Russia-occupied Crimea are increasingly vulnerable to exploitation as the government of Ukraine does not have control over these regions and is therefore not able to address the worst forms of child labor due to the ongoing conflict. The government also collected few of the financial penalties imposed for child labor violations and lacked social programs designed to assist children engaged in hazardous work in mining.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Ukraine are subjected to the worst forms of child labor, including in the production of pornography. Children also perform dangerous tasks in mining. (1-6) Table 1 provides key indicators on children’s work and education in Ukraine.

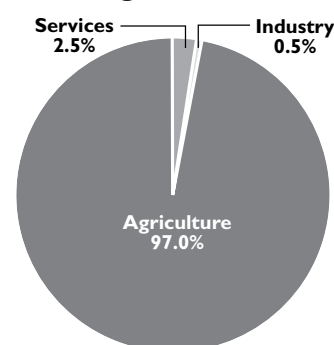
**Table 1. Statistics on Children’s Work and Education**

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 (%)		102.6

Source for primary completion rate: Data from 2014, published by UNESCO Institute for Statistics, 2021. (2)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 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	Farming, activities unknown (1,4-8)
	Raising livestock, activities unknown (9)
Industry	Construction, activities unknown (1,4,10,11)
	Mining,† including loading, transporting, and sorting coal, and extracting amber (1,5,6,8,10,12)

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## 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	Street work, including distributing advertising leaflets, sales activities in kiosks, washing cars, and begging (1,4,6,7,13)
Categorical Worst Forms of Child Labor <sup>‡</sup>	Commercial sexual exploitation, sometimes as a result of human trafficking (1,4,11,13)
	Use in the production of pornography (1,5,10,11,14)
	Recruitment of children by non-state armed groups for use in armed conflict (10)
	Forced begging, sometimes as a result of human trafficking (1,8,10,11,13,15,16)

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

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

In 2020, the Russia-led conflict in the east of the country continued. The conflict limited the government's financial and institutional capacity to address the worst forms of child labor throughout Ukraine, especially in the Russia-controlled areas of Donetsk and Luhansk. (1,10,13) Russian aggression in eastern Ukraine has created more than 1.4 million IDPs currently registered, including more than 190,000 children. (17,18) IDP children, particularly those who are unaccompanied, are especially vulnerable to exploitation in the worst forms of child labor. (19) Lack of information limits an assessment of the types of work that children perform and the sectors in which they work in Russia-controlled territory in the Donbas region and Russia-occupied Crimea. However, available data suggest that children in these areas face heightened vulnerability to child labor, including in illegal coal mines in the Donbas region. (1)

During the reporting period, Russia-backed groups continued to recruit children to take part in armed combat. Children were trained in weapons use and organized into reserve militia battalions at militant-run camps and school programs located in territory controlled by Russian-backed groups. (1,10,20) Reports also indicate that thousands of children participate in military-style training or other military-style activities under the guise of “military-patriotic” activities carried out by Russia-led forces in the Russia-controlled areas of Donetsk and Luhansk and by Russian occupation authorities in Crimea. (1) The government was unable to enforce national prohibitions against the use of children in armed conflict in these areas. (1,10,20)

Children in the Russia-controlled areas of Donetsk and Luhansk face challenges being registered at birth, which can prevent them from receiving Ukrainian identity documents. This, in turn, limits their ability to enroll in school and puts them at risk of statelessness. (21) Although a judicial procedure exists to provide children born in the Russia-controlled areas of Donetsk and Luhansk with Ukrainian birth certificates, fewer than half of the children born in these areas are estimated to have obtained a birth certificate issued by the Government of Ukraine. A law adopted in 2018 provides for any civil registry office to issue a Ukrainian birth registration on the basis of a birth certificate issued in the Russia-controlled areas of Donetsk and Luhansk, but the government has yet to establish a procedure to ensure implementation of this provision. (22) In addition, up to a third of children from Roma communities also lack birth registration, impeding their access to education. (19)

President Zelensky amended the Law on Higher Education in July to permit more than 2,000 applicants from the conflict-affected areas in Donbas and Crimea to enter Ukrainian universities free of charge and through a simplified application process. This effort is part of the implementation of the Safe Schools Declaration, which Ukraine signed in December 2019. (1) The Ministry of Education and Science approved a resolution in September regulating the process of distance learning in schools due to the COVID-19 pandemic, allowing local authorities to use unspent educational funds to purchase personal protective equipment to combat the spread of COVID-19 in schools. However, some children, especially those from poor families and those with special needs, could not participate in distance learning because they lack access to the internet or computer equipment. (1) In addition, members of the Roma community continue to face barriers to education, including a lack of access to alternative preschool programs, discrimination in admissions and in the school environment, the lack of inclusive approaches in the school system, and low social services support for Roma families. Roma families can also lack a registered residence, which further complicates their children’s school enrollment. (1)






## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED LAW THAT DELAYED ADVANCEMENT

Children from Ukraine are trafficked both internationally and domestically for commercial sexual exploitation and forced begging. (11,13,16) The Ministry of Social Protection noted that due to the pandemic, many children spent more time on the internet and were at increased risk of cybercrime victimization, including in the production and distribution of pornographic content. (16) Children with disabilities and homeless, orphaned, and poor children, especially those living in state-run institutions, are at high risk of being trafficked. (13,16,19) Some state-run orphanages have used children for illegal labor in business, seasonal agricultural work, construction, and sexual exploitation. (1,9,11) Ukraine is a transit and destination country for refugees from Afghanistan, the Russian Federation, Bangladesh, Syria, and Iraq. Refugee children lack access to state-run children's shelters, face challenges receiving birth registration, and experience heightened vulnerability to child trafficking. (16,19,23)

## 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 has established laws and regulations related to child labor (Table 4). However, gaps exist in Ukraine's legal framework to adequately protect children from the worst forms of child labor, including laws 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	Yes	16	Article 150 of the Criminal Code; Article 188 of the Labor Code; Article 21 of the Law on the Protection of Childhood (24-26)
Minimum Age for Hazardous Work	No	18	Article 150 of the Criminal Code; Article 190 of the Labor Code; Article 21 of the Law on the Protection of Childhood (24-26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 150-1 of the Criminal Code; 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 190 of the Labor Code (24,25,27)
Prohibition of Forced Labor	Yes		Articles 149, 172 and 173 of the Criminal Code; Article 43 of the Constitution of Ukraine; Article 1 of the Law on Employment (24,28,29)
Prohibition of Child Trafficking	Yes		Article 149 of the Criminal Code; Article 32 of the Law on the Protection of Childhood (24,26)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 301–303 of the Criminal Code; Articles 10 and 21 of the Law on the Protection of Childhood; Articles 1, 6 and 7 of the Law on the Protection of Public Morality; Law on Amendments to Certain Legislative Acts of Ukraine on Combating the Distribution of Child Pornography (24,26,30,31)
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 (24,26)
Minimum Age for Voluntary State Military Recruitment	Yes	17	Articles 15 and 20 of the Law on Military Duty and Military Service (32)

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## 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
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 (32,33)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Article 30 of the Law on the Protection of Childhood (26)
Compulsory Education Age	Yes	17‡	Articles 3, 12, and 20 of the Law on General Secondary Education; Article 35 of the Constitution (28,34)
Free Public Education	Yes		Article 53 of the Constitution of Ukraine; Article 2 of the Law on General Secondary Education (28,34)

‡ Age calculated based on available information (34)

During the reporting period, the Government of Ukraine drafted a new law aimed at protecting the rights of domestic workers. The proposed law extends employment protections to all workers over age 16 who perform domestic work on a regular, professional, or contract basis. (35) The government also developed a draft law that would amend a number of legislative acts to comply with the Council of Europe’s Convention on Protection of Children against Sexual Exploitation and Sexual Abuse. (1,36)

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. (24-26,34) Furthermore, the Ministry of Health Order Number 46 does not prohibit children between 14 and 16 from engaging in hazardous work as part of a vocational training program, which is not in compliance with international standards. Although the law specifies that children in these training programs may be onsite for no more than 4 hours and must remain in strict compliance with applicable safety norms and rules and regulations on labor protection, this is not in compliance with international standards. (37,38)

Articles 302 and 303 of the Criminal Code of Ukraine criminalize involvement of a minor in prostitution and pimping involving minors. However, no law criminalizes the users (clients) of prostitution involving children. (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 operations of enforcement agencies 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 within the Ministry of Economic Development, Trade and Agriculture	Enforces labor laws, including laws on child labor, by conducting inspections. Began the process of moving from the Ministry of Social Policy (MSP) to the Ministry of Economic Development, Trade and Agriculture in December 2019, and the transition was ongoing during the reporting period. (1,10)
Ministry of Internal Affairs	Enforces criminal laws against the worst forms of child labor, including child trafficking. (1,10)
Security Service of Ukraine	Tracks recruitment and use of children in armed conflict. (1,10)
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 and informs the public on children’s rights. (39)
Prosecutor General’s Office	Investigates and prosecutes cases related to the worst forms of child labor. Oversees a department and regional offices for the Protection of Interests of Children and Combating Violence that focuses on the worst forms of child labor. (1) In 2020, reported a case, under pre-trial investigation, that involves the trafficking of minors by officials of Ukraine’s Children’s Service and law enforcement officers. (16)

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In August 2019, the government issued Cabinet of Ministers Decree No. 823, which outlined procedural rules specifically for labor inspections conducted by the State Labor Service (SLS). These procedural rules clarified labor inspectors' authority to conduct inspections, including site visits, both proactively and in response to complaints. (40) However, Decree No. 823 also requires that businesses are notified at least 5 working days in advance of an onsite inspection. Although unannounced inspections took place during the reporting period, the decree remains in place and may interfere with the ability of the labor inspectorate to perform unannounced inspections in the future. (1,40,41)

In January 2020, the Prosecutor General's Office (PGO) established a department and regional offices for the Protection of Children's Interests and Combating Violence, which became operational in August. These regional offices are responsible for conducting pre-trial investigations and investigations of criminal offenses, filing appeals of court decisions relating to children's issues, providing legal representation to children, and supporting the execution of court decisions in the sphere of child protection. (42) Regional offices of the SLS signed cooperation agreements to share information about child labor cases with regional offices of the National Police of Ukraine, regional employment centers, the Department of Child Affairs, trade union leaders, regional social services organizations, and centers dedicated to social protection. (1)

Russia-occupied Crimea and areas controlled by Russia-led forces in the Donbas region of eastern Ukraine are not under the control of the Ukrainian government, which is prevented from carrying out inspections and law enforcement actions there. (43)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Ukraine took actions to combat child labor (Table 6). However, gaps exist within the operations of the SLS that may hinder adequate labor law enforcement, including the ability of labor inspectors to conduct unannounced inspections.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	\$23.4 million (10)	\$16.3 million (1)
Number of Labor Inspectors	1,138 (1)	1,815 (1)
Inspectorate Authorized to Assess Penalties	Yes (44)	Yes (44)
Initial Training for New Labor Inspectors	Yes (10)	Yes (1)
Training on New Laws Related to Child Labor	Yes (10)	Yes (1)
Refresher Courses Provided	Yes (10)	Yes (1)
Number of Labor Inspections Conducted	17,855 (1)	14,803† (1)
Number Conducted at Worksite	213 (1)	14,803† (1)
Number of Child Labor Violations Found	106 (1)	49† (1)
Number of Child Labor Violations for Which Penalties Were Imposed	27 (1)	49† (1)
Number of Child Labor Penalties Imposed that Were Collected	3 (1)	10† (1)
Routine Inspections Conducted	Yes (45)	Yes (1)
Routine Inspections Targeted	Yes (45)	Yes (1)
Unannounced Inspections Permitted	No (40)	No (40)
Unannounced Inspections Conducted	Yes (46)	Yes (1)
Complaint Mechanism Exists	Yes (10)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (10)	Yes (1)

† Data are from January 2020 to mid-December 2020.

Ukraine's Cabinet of Ministers adopted Resolution No. 383 in May, which approves criteria for a risk-based approach to performing labor inspections and identifying labor violations; use of child labor is an approved risk factor. (1) The SLS employed a sufficient number of labor inspectors given the size of the workforce in Ukraine; however, observers report that the resources dedicated to overseeing labor laws and monitoring

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recruitment agencies’ compliance remain inadequate. (1,13,47,48) Labor inspectors conducted 2,130 child labor-related inspections and detected 49 child labor violations involving 67 children working in the service sectors, heavy industry, and agriculture. The majority of violations involved the unregistered or improperly registered employment of minors. (1) Inspectors also identified four children who were receiving illegal or improperly documented wages. The SLS referred eight cases to criminal law enforcement agencies for investigation. (1) Although the SLS imposed a total of approximately \$35,000 in financial penalties, it collected only \$1,660 during the reporting period. The SLS is not authorized to compel payment of delinquent fines without a court proceeding, which can delay the collection of penalties. (1,10)

During the reporting period, all new labor inspectors received ILO-approved training upon hiring. The OSCE also conducted online training sessions for labor inspectors. (1) However, sources note that training for labor inspectors on child trafficking may be inadequate, especially outside of Kyiv. (13,19) In addition to the 1,253 labor inspectors working at the SLS, regional governments employ 562 labor inspectors. (1) Although these local inspectors are certified by the SLS, their training may be inadequate and inconsistent with the training given to inspectors employed directly by the SLS. (41) The funding allocated to the SLS in 2020 remained at a similar level to 2019, but NGOs have assessed the funding as insufficient and also expressed concern that the number of labor inspectors was inadequate. (10,13) Many labor inspector positions remain vacant, especially in more rural areas, due to low pay. (42)

### Criminal Law Enforcement

In 2020, criminal law enforcement agencies in Ukraine took actions to combat child labor (Table 7). However, gaps exist within the authority of the criminal enforcement agencies that may hinder adequate criminal law enforcement, including a lack of information on criminal convictions for the worst forms of child labor.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Yes (10)	Yes (1)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (10)	Yes (1)
Refresher Courses Provided	Yes (10)	Yes (1)
Number of Investigations	Unknown (10)	262 (1)
Number of Violations Found	8† (10)	188 (1)
Number of Prosecutions Initiated	33‡ (10)	188 (1)
Number of Convictions	Unknown (10)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (10)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	Yes (1)

† Data are from January to September 2019.

‡ Data are from January to November 2019.

The Ministry of Internal Affairs (MoIA) reported that it intervened in numerous instances of child trafficking, including cases of illegal labor and forced begging, but it did not provide specific information on the number or nature of these cases. (1) The PGO referred 188 cases related to the worst forms of child labor for prosecution, including five cases of criminal exploitation of child labor or forced begging, 67 cases of the use of children for the production of pornography, and 116 cases of engaging minors in criminal activity. The outcome of these cases is unknown, as the PGO does not specifically track convictions in cases related to the worst forms of child labor. (1,10)

The National Police reported a 92 percent increase in cases of online commercial sexual exploitation of women and children in 2020. Traffickers searched for and recruited vulnerable women and children online and created “web studios” for the production of pornographic videos or live performances. (16) In May, four individuals were arrested for using minors in the production and distribution of pornography, and eight children between the ages of 7 and 14 were identified as victims of commercial sexual exploitation. Specific data on the referral of child victims to social services were not available. (1)

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The MoIA reported that all criminal investigators receive specialized training on how to handle cases and investigations involving minors. During the reporting period, MoIA investigators and social workers received training on child labor as part of the government's 2020 Anti-Human Trafficking Program. (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 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 Counter-Trafficking Coordination Council	Led by MSP, which serves as the National Coordinator for Counter-Trafficking Policy, includes more than 20 government entities and representatives from regional governments, NGOs, and international organizations. (11) Research was unable to determine whether this body was active during the reporting period.
National Referral Mechanism	Identifies victims of human trafficking, including children, and refers victims to appropriate government agencies for assistance and services. Implemented by MSP in its capacity as the National Coordinator for Anti-Trafficking Policy. (1,11) In June 2020, the Cabinet of Ministers approved Resolution No. 585 to clarify the National Referral Mechanism's role in providing social protection for vulnerable children. The referral mechanism operates between MSP, the Ministry of Internal Affairs, and the Prosecutor General's Office, and facilitates coordination between government agencies when child victims are identified. (1)

Although Ukraine has established the Inter-Ministerial Counter-Trafficking Coordination Council to coordinate efforts to address child trafficking, it does not have coordinating mechanisms to address other forms of child labor, including in mining and agriculture.

## 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 Action Plan for Countering Human Trafficking (2016–2020)	Guides the work of the National Coordinator on Countering Human Trafficking, located under MSP, through specific actions and timetables for preventing, protecting against, and prosecuting human trafficking crimes. (13,49-51) The participating agencies continued their work under the National Action Plan and drafted a concept paper for a new National Action Plan for 2021–2025. (16)
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. (1,6,7,52,53) No funding was provided for this program during the reporting period. (42)
Resolution on the Social Protection of Children and Urgent Measures to Protect the Rights of the Child	Directs the government to develop additional programs and social services to protect children against abuse, including the worst forms of child labor. Includes a provision on measures that specifically address the participation of children in armed conflict. (10,54) Research was unable to determine whether activities were undertaken to support this resolution during the reporting period.
Memorandum of Understanding between the ILO and Ukraine (2020–2024)†	Establishes terms of agreement between ILO and the government on cooperation to implement the Decent Work Country Program in Ukraine. (55) The Ukrainian Parliament Commissioner for Human Rights announced plans to collaborate with ILO in promoting fundamental principles and rights at work, including freedom of association and the right to collective bargaining, addressing pay equity, elimination of forced and child labor, and combating discrimination in the workplace. (55)

† Policy was approved during the reporting period.

Although the Government of Ukraine has adopted the National Action Plan for Countering Human Trafficking, the National Action Plan for Implementation of UN CRC, and the Resolution on the Social Protection of Children, research found no evidence of a policy on other worst forms of child labor, including hazardous child labor in mining. (1,10)



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### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Directorate for the Development of Social Services and Protection of Children's Rights*†	Established under MSP in March 2020 to address the needs of vulnerable children. (16)
Shelters and Centers for Socio-Psychological Rehabilitation of Children†	Serve children in need, including child victims of trafficking, through 82 centers, which include 8 shelters. Children are provided with individual assistance programs that involve social, psychological, pedagogical, medical, legal, and other types of assistance. (11,19) Government officials report that there is a lack of resources and specialized personnel to serve child victims of sexual exploitation through these centers. (19)
Centers for Social Services for Family, Youth, and Children†	Administered in coordination with municipal authorities to provide social services for vulnerable children and families, including victims of human trafficking. These centers were active during the reporting period. (56,57)

\* Program was launched during the reporting period.

† Program is funded by the Government of Ukraine.

The SLS, with support from the ILO and the EU, conducted an awareness-raising campaign during the reporting period on the importance of formalizing employment relationships. The "Go to the Light!" campaign educated more than 1.5 million Ukrainians on the risks of undeclared and undocumented work. (58) In January, the government launched an online platform that will expand access to government services by allowing new parents to complete administrative services online, including registering the birth of a child. (16)

Ukraine's Cabinet of Ministers adopted Resolution No. 585 in June, which established a procedure for social protection of children in difficult situations, including children who are victims of abuse. (1,59) 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. (60) Although the Government of Ukraine has implemented programs to assist child victims of trafficking, research found no evidence that it has carried out programs specifically designed to assist children in other forms of child labor, including hazardous work in mining.

### 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 – 2020
	Prohibit all children under age 16 from working in hazardous occupations during vocational training.	2011 – 2020
	Criminally prohibit and penalize the use of a child for prostitution.	2019 – 2020
Enforcement	Strengthen the labor inspection system by removing restrictions on labor inspectors' authority to conduct unannounced onsite inspections, both proactively and in response to complaints.	2019 – 2020
	Authorize the State Labor Service to enforce collection of delinquent penalties to ensure that all penalties imposed are collected.	2019 – 2020
	Ensure that all labor inspectors, including those working outside the capital, receive training on child trafficking.	2019 – 2020
	Ensure that labor inspectors employed by regional governments receive adequate training that is consistent with that provided to labor inspectors employed by the State Labor Service.	2019 – 2020
	Increase funding for the State Labor Service to ensure that the labor inspectorate has adequate capacity to address the scope of the child labor problem.	2019 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Track and publish data on the number of convictions and penalties imposed for criminal violations of child labor laws.	2014 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2020
	Establish coordinating mechanisms to combat all worst forms of child labor.	2019 – 2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, including hazardous child labor in mining.	2018 – 2020
	Implement all policies addressing child labor, including the National Action Plan for Implementation of UN CRC and the Resolution on the Social Protection of Children and Urgent Measures to Protect the Rights of the Child.	2019 – 2020
Social Programs	Conduct research to gather comprehensive data on child labor, including the activities carried out by children working in mining, farming, raising animals, and construction, to inform policies and programs.	2019 – 2020
	Ensure that refugee children are allowed to receive services at state-run children's shelters and can be registered at birth.	2019 – 2020
	Establish a procedure to implement the law empowering any civil registry office to issue a Ukrainian birth registration on the basis of a birth certificate issued in the areas of Donetsk and Luhansk under the control of Russia-led forces.	2019 – 2020
	Develop programs to ensure that Roma children are registered at birth and are able to access education.	2010 – 2020
	Allocate resources and trained personnel to assist with child victims of commercial sexual exploitation in all state-run facilities that serve children in need.	2020
	Expand educational opportunities for children without internet access and those with special needs.	2020
	Ensure that there are sufficient resources for the Centers for Social Services for Family, Youth, and Children for child victims of human trafficking.	2013 – 2020
	Implement social programs to assist children subjected to all forms of child labor, including mining.	2020

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In 2020, Uzbekistan made moderate advancement in efforts to eliminate the worst forms of child labor. The government took active measures to prevent the use of child labor in the cotton harvest, including by eliminating the harvest quotas that were historically a root cause of child and forced labor in Uzbekistan. The government also cooperated with civil society activists to detect labor exploitation in the annual cotton harvest, created an action plan to implement international recommendations on eliminating the worst forms of child labor, and expanded efforts to raise awareness during the cotton cultivation season about child and forced labor prohibitions. In addition, lawmakers adopted a new law on trafficking in persons that strengthened protection for human trafficking victims, including child trafficking victims. However, children in Uzbekistan are subjected to the worst forms of child labor, including in commercial sexual exploitation. Although the government made meaningful efforts in all relevant areas, laws prohibiting the commercial sexual exploitation of children do not meet international standards. Uzbekistan also has not carried out a national child labor survey to determine the prevalence of child labor in sectors other than cotton production.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Uzbekistan are subjected to the worst forms of child labor, including in commercial sexual exploitation. (1-3) Uzbekistan has not carried out a national child labor survey to determine the prevalence of child labor in sectors other than cotton production. (3) 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 (%)		105.6

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from Multiple Indicator Cluster Survey 3 (MICS 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	Harvesting silk cocoons; preparing land for crop planting (6,7)
Services	Street work, including vending, car washing, and begging (7-10)
	Collecting scrap metal (6,8)
	Public works, including refurbishing school grounds and facilities (3,6,11,12)
	Vending in markets (7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,8)
	Forced labor in harvesting silk cocoons (1,6,13)
	Forced labor in construction, non-cotton agriculture, and cleaning parks, streets, and buildings (1,6)

‡ 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 in the Middle East, Eurasia, and Asia. (1) Children are also vulnerable to internal trafficking for the purpose of commercial sexual exploitation. (1,12)

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ILO monitors reported that prohibitions on child labor were generally upheld during the 2020 cotton harvest. Farmers increased due diligence measures for preventing child labor, including by informing cotton pickers about laws and regulations prohibiting child labor in the harvest and verifying pickers' ages prior to transporting them to fields. (14) However, ILO and civil society harvest monitors also noted an uptick in the number of children, primarily ages 15 to 17, participating in the 2020 cotton harvest compared to harvests in 2018 and 2019. In interviews with ILO and civil society monitors, some pickers reported bringing teenage children to work in the fields to increase household income. (14,15) In such cases, monitors provided pickers with additional information on child labor prohibitions and the hazards cotton picking poses to the health and well-being of children. (14) Monitors also assessed that school closures related to the COVID-19 pandemic and pandemic-related economic stresses within families may have increased children's vulnerability to child labor in the 2020 cotton harvest. (14,15)

Children in Uzbekistan sometimes participate in public works projects, including refurbishing school grounds and facilities. (3,6) Limited evidence suggests that in isolated cases, school officials may compel students to assist in harvesting silk cocoons, sometimes characterizing the work as traditional communal labor (*khashar*). (6,13) Although there is free public education in Uzbekistan, schools may charge informal fees, which can make education inaccessible to children from low-income families. (3,10, 27)

## 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 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	18	Articles 15, 77 and 242 of the Labour Code; Article 49 of the Administrative Code (16,18,19)
Minimum Age for Hazardous Work	Yes	18	Articles 241 and 245 of the Labour Code; Article 49-1 of the Administrative Code (18,19)
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 (20,21)
Prohibition of Forced Labor	Yes		Article 37 of the Constitution; Article 7 of the Labour Code; Article 51 of the Administrative Code; Articles 135 and 148(2) of the Criminal Code (18,19,22,23)



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

Standard	Meets International Standards	Age	Legislation
Prohibition of Child Trafficking	Yes		Article 3 of the Law on Combatting Human Trafficking; Article 135 of the Criminal Code (23,24)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 128(1), 130–131, and 135 of the Criminal Code (23)
Prohibition of Using Children in Illicit Activities	Yes		Article 10 of the Law on Guarantees of the Rights of the Child; Articles 127 of the Criminal Code; Article 188-1 of the Administrative Code (17,19,23)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 24 of the Law on Universal Military Service (25)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Articles 4 and 46 of the Law on Universal Military Service (25)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 216(1) and 242 of the Criminal Code; Article 3 of the Law on Civil Organizations (23,26)
Compulsory Education Age	Yes	18‡	Articles 4 and 9 of the Law on Education (27)
Free Public Education	Yes		Article 4 of the Law on Education; Article 41 of the Constitution (22,27)

‡ Age calculated based on available information (27)

During the reporting period, the government adopted a new law on trafficking in persons aiming to enhance access to government services and strengthen protections for victims of human trafficking, including child victims. (12,24) The government also drafted and began Parliamentary review of a comprehensive Labor Code reform package. (28) In addition, in early 2021, parliament adopted a package of amendments to the Criminal Code that included criminal penalties for the use of children ages 16 to 17 in commercial sex. This package of amendments also established criminal penalties in the first instance for forced labor violations involving minors. (29)

Articles 131 and 135 of the Criminal Code of the Republic of Uzbekistan criminalize pimping, procuring, involving, or inducing children into prostitution, and criminalize the actions of those who profit from prostitution involving children. (23) In addition, Criminal Code Article 128(1) criminalizes the use of children ages 16 to 18 in prostitution. However, no law criminalizes the users (clients) of prostitution involving children under age 16. (23) Moreover, although Uzbekistan's laws prohibit the use, procuring, and offering of children for both the production and trafficking of drugs, the legal framework prohibiting these crimes lacks clarity as penalties are only addressed in the Administrative Code, not the Criminal Code. (19,23)

The law does not determine the activities or conditions in which children who have not yet completed their compulsory schooling may engage in light work, although the Labor Code establishes caps on the maximum number of work hours permitted for children ages 15 to 17. (18,27)

### 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 enforcement agencies that may hinder adequate enforcement of their child labor laws.

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**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. (10) Leads the National Sub-Commission on Combating Forced Labor. (30,31)
Ministry of Internal Affairs (MOIA)	Investigates crimes related to child trafficking and commercial sexual exploitation of children, which may then be prosecuted by the Prosecutor General's Office. (10) Leads the National Sub-Commission on Combating Trafficking in Persons. (30,31) Maintains a database on human trafficking crimes, including child trafficking crimes, which aggregates relevant information received from other government bodies, citizens' organizations, non-profit organizations, and civil society groups. (12)
Prosecutor General's Office	Prosecutes criminal violations involving the worst forms of child labor, including forced labor and commercial sexual exploitation. (10) Also provides oversight of some MOIA efforts to combat the worst forms of child labor. (12)
Youth Union	Monitors school attendance to ensure that students do not miss class during the cotton harvest. (9) Participates in monitoring efforts organized by the Federation of Trade Unions (FTUU) to monitor violations of labor laws during the annual cotton harvest. (32,33)
Women's Committee of Uzbekistan	Participates in monitoring efforts organized by FTUU to monitor violations of labor laws during the annual cotton harvest. (32,33)
Human Trafficking Hotlines	Receive reports of incidents of human trafficking and refer reports to the relevant agencies. The MOIA-led National Sub-Commission on Combating Trafficking in Persons administers one hotline, and an NGO maintains a second foreign donor-funded hotline. (1)
Feedback Mechanisms	Receive complaints on the violation of workers' rights and labor laws. MOELR can receive complaints, including on an anonymous basis, through a telephone hotline with a short, easy-to-remember number; a web portal; and a Telegram messenger bot. (15,34-37) Labor inspectors are required to investigate all complaints submitted to MOELR within 7 days. In 2020, as in 2019, ILO observers were given real-time access to this feedback mechanism during the cotton harvest season to monitor the efficacy of the government's response. (14,34,35,38) FTUU also operates its own independent feedback mechanism, accessible online or over the phone, and a legal clinic that assists workers in remediating issues. The ILO reported that in 2020, the FTUU legal clinic also referred cases to MOELR for investigation of labor law violations. (14,38,39)

In 2020, the feedback mechanism hotline operated by the Federation of Trade Unions of Uzbekistan (FTUU) received 180 complaints related to the cotton harvest. (40) Of these 180 complaints, 30 concerned recruitment for the cotton harvest, 102 concerned late payment of wages for cotton picking, 34 concerned poor working conditions in the harvest, 5 concerned issues with labor contracts for pickers, and 9 concerned financial collections at workplaces to pay for cotton pickers. All 180 complaints were referred to the Ministry of Employment and Labor Relations (MOELR) for investigation; of these, 118 labor law violations were identified and remedied through corrective action. (40)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Uzbekistan took actions to combat child labor. (Table 6). However, gaps exist within the operations of MOELR 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	2019	2020
Labor Inspectorate Funding	\$300,000 (11)	\$142,000 (12)
Number of Labor Inspectors	400 (3)	344 (12)
Inspectorate Authorized to Assess Penalties	Yes (3)	Yes (12,41)
Initial Training for New Labor Inspectors	Yes (3)	Yes (10,12)
Training on New Laws Related to Child Labor	Yes (3)	Yes (10,42)
Refresher Courses Provided	Yes (3)	Yes (10,12)
Number of Labor Inspections Conducted	5,392 (11)	5,154 (12)
Number Conducted at Worksite	5,392 (11)	5,154 (12)
Number of Child Labor Violations Found	21 (11)	2 (12)
Number of Child Labor Violations for Which Penalties Were Imposed	21 (11)	2 (12)
Number of Child Labor Penalties Imposed that Were Collected	21 (11)	2 (12)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Yes (3)	Yes (10)
Routine Inspections Targeted	Yes (3)	Yes (10)
Unannounced Inspections Permitted	Yes (3)	Yes (41)
Unannounced Inspections Conducted	Yes (32)	Yes (10)
Complaint Mechanism Exists	Yes (3,43)	Yes (10,35)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (3)	Yes (10)

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. (44,45) In 2020, labor inspectors, farmers, and cotton cluster operators attended a series of training seminars on fair recruitment laws and practices. (37,42) A total of 80 labor inspectors also received routine recertification training, which every inspector is required to complete at least once every 3 years. Although funding for the Labor Inspectorate decreased in 2020 compared to 2019, the government noted that 2019 funding levels had included one-time appropriations for purchasing new equipment, which were not included in the 2020 budget. (12) The government also noted that, in addition to labor inspectors employed by MOELR, the FTUU employs 33 labor monitors, who can refer potential violations to the Labor Inspectorate for investigation and imposition of penalties as appropriate. (12)

During the reporting period, the government enhanced penalties for violations of labor laws. Maximum fines for forced labor violations in the first offense increased significantly, from \$60–70 in 2019 to nearly \$2,000 in 2020. (35) MOELR identified two child labor cases, one in Bukhara and the other in Samarkand. Both cases were referred through social media and involved children working on refurbishing school facilities and grounds. (12) Labor inspectors assessed and collected penalties totaling \$2,200 (22,300,000 UZS) for these two violations. (12) MOELR also identified 105 total forced labor cases in 2020, 46 of which were related to mobilization of workers for the annual cotton harvest and 59 of which were related to unfair recruitment into other work. (14,40) During the cotton harvest, 42 offenders, including district *hokims* (local leaders), heads of institutions, directors, and farmers were penalized under Administrative Code Article 51 for forced labor violations. (14) Five *hokims* from districts in Namangan, Tashkent, and Khoresm regions were formally reprimanded by the Cabinet of Ministers for forced labor offenses in their districts and officially warned that they would be dismissed without further notice for any subsequent forced labor offenses. (14,42) MOELR referred six forced labor cases to the courts for criminal action, although the current status of these cases is unknown. (12,46)

Labor inspectors are empowered to conduct self-initiated unannounced inspections in public-sector enterprises and, with permission from the Business Ombudsman, are authorized to conduct limited inspections at private-sector businesses. However, reports indicate that in practice, inspectors may be reticent to enter private businesses or homes and typically only do so in response to complaints. (3, 10–12, 35, 47, 48) In addition, a temporary moratorium on planned inspections at state enterprises was put in place for part of the reporting period due to the pandemic. However, inspectors still carried out monitoring visits to state enterprises during the cotton harvest season to enforce prohibitions on forced and child labor. (35) The legislature established working groups comprising senators, Legislative Chamber deputies, journalists, and bloggers that conducted labor monitoring visits at farms, cotton clusters (vertically-integrated cotton production enterprises), neighborhood associations (*mahallas*), private enterprises, and public organizations. MOELR also established six working groups comprising labor inspectors that conducted rapid-response investigations of forced labor complaints during the harvest. (40) All of these working groups visited, in total, 95 cotton clusters, 3,221 farms, 1,572 neighborhood associations, and 796 private and public enterprises and organizations. (40) The Labor Inspectorate further reported that it reviewed 26,788 complaints in 2020 across all sectors, conducted 5,154 total inspections for compliance with laws governing working conditions, and identified 6,314 violations requiring remediation. (12)

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The government increased cooperation with independent civil society monitors to detect and respond to suspected labor violations in the cotton harvest. Civil society monitors participated in regular information exchanges with MOELR and received special badges from the government that granted them unimpeded access to visit cotton fields and other entities involved in the harvest, despite pandemic-related internal travel restrictions. (14,35) Independent observers reported that labor inspectors consistently investigated potential labor violations referred to them by civil society activists, and investigated reports of potential violations were publicized in the press and on social media. (10,15,49) Labor inspectors responded to 790 forced labor complaints between January and October 2020, of which 461 were received through MOELR's feedback hotline, 113 through social networks (including Telegram messenger), 201 in writing, and 15 through MOELR's website. (10,12,35,37,40) Civil society activists reportedly submitted 26 complaints, 6 of which resulted in imposition of fines for official complicity in forced labor. (10)

### **Criminal Law Enforcement**

In 2020, criminal law enforcement agencies in Uzbekistan took actions to combat child labor (Table 7). However, gaps exist within the operations of the Ministry of Internal Affairs (MOIA) 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	2019	2020
Initial Training for New Criminal Investigators	Yes (3)	Yes (12)
Training on New Laws Related to the Worst Forms of Child Labor	Yes (3)	Yes (10)
Refresher Courses Provided	Yes (3)	Yes (10)
Number of Investigations	2 (2,11)	12 (12)
Number of Violations Found	4 (12)	13 (12)
Number of Prosecutions Initiated	3 (12)	8 (12)
Number of Convictions	3 (12)	6 (12)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (2)	Yes (12)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (3)	Yes (10)

In 2020, law enforcement investigated 12 criminal cases involving 13 suspects under suspicion of procuring children for commercial sexual exploitation. Because of these investigations, 13 children were recognized as victims of crimes related to human trafficking and referred to rehabilitation centers for services. (12) Eight cases involving 10 suspects were referred for prosecution under Criminal Code Article 135, trafficking in persons. One case culminated in an acquittal for two defendants and the other seven cases resulted in conviction of eight perpetrators. (12) Of these, four perpetrators were sentenced to prison terms, three were sentenced to restriction of liberty, and one received a suspended sentence. (12) In one of these cases, investigators and prosecutors cooperated with lawyers from Istiqbolli Avlod, a local anti-trafficking NGO, to gather evidence and present it in court. The perpetrator was sentenced to 6 years of imprisonment. (50) Sources reported that this case was the first human trafficking conviction in which Istiqbolli Avlod's lawyers were able to participate directly in court proceedings. (50)

Limited reports suggest that MOIA investigations into potential cases involving the worst forms of child labor may not be thorough enough to detect violations or gather sufficient evidence to move forward with prosecution. (35,50) The Prosecutor General's Office began a review of human trafficking cases that were closed due to lack of evidence to determine whether any should be reinitiated. However, information on how many of these cases involved child victims was not available. (10,50) In addition, the new law on combating human trafficking adopted during the reporting period established procedures to improve the referral mechanism by which authorities refer child victims of trafficking to social services. (10,24)

Although criminal liability for repeat forced labor offenses was introduced in early 2020 under Criminal Code Article 148(2), monitoring reports on the 2020 cotton harvest noted enforcement challenges that may have

hampered the government's ability to initiate criminal prosecutions for forced labor offenses. (14,23) Officials can only be held criminally liable under Art. 148(2) for complicity in forced labor if they commit repeated offenses within the same 12-month period. In addition, criminal enforcement agencies faced difficulties collecting sufficient evidence to prosecute complicit officials. (14) The ILO reported on two instances in which issues related to witness testimony and admissibility of documentary evidence limited government efforts to pursue prosecution of forced labor cases. (14)

During the reporting period, 184 MOIA staff members received training on Uzbekistan's new law on trafficking in persons. (12) Judges from the Supreme Court and from the Higher School of Judges received training from UNODC on interpreting and applying Criminal Code Article 135, which defines and establishes penalties for human trafficking crimes, including those involving children. (51) Investigators, judges, and prosecutors also received training from the ILO on child labor and forced labor. In addition, the NGO Istiqbolli Avlod continued to work with criminal enforcement agencies to provide human trafficking training to investigators. (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 with civil society organizations.

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

Coordinating Body	Role & Description
National Commission on Combating Trafficking in Persons and Forced Labor (National Commission)	Coordinates state and local entities' efforts to combat sex trafficking and forced labor; analyzes and monitors efficacy of government programs to address sex trafficking and forced labor; organizes international cooperation on combating sex trafficking and forced labor; and provides legal and policy recommendations for improvement of government efforts in these areas. (30,31) Chaired by the National Rapporteur on Combating Trafficking in Persons and Forced Labor. (30) Comprises the two sub-commissions on combating sex trafficking and forced labor, respectively. The Minister of Internal Affairs heads the Sub-Commission on Combating Trafficking in Persons and the Minister of Labor heads the Sub-Commission on Combating Forced Labor. (3,30,31) In 2020, National Commission member agencies provided monthly reports on progress to implement work plans approved in 2019. (52)
National Rapporteur on Combating Trafficking in Persons and Forced Labor (National Rapporteur)	Chairs the National Commission on Combating Trafficking in Persons and Forced Labor. Reports annually to the President on sex trafficking and forced labor issues, government efforts to punish perpetrators, and services for victims of sex trafficking and forced labor crimes. (30,31) Conducts public awareness-raising activities related to sex trafficking and forced labor. (31) In 2020, the National Rapporteur regularly convened the National Commission to report on the implementation of prohibitions on child labor and forced labor. (10,42) The National Rapporteur's office also prepared and published a report for the President on efforts undertaken in 2020 to combat forced labor and sex trafficking. (52)
Local Commissions for Combating Human Trafficking and Forced Labor (Local Commissions)	Ensure timely and rigorous implementation of all laws and regulations, including those issued by the National Commission, related to sex trafficking and forced labor. (12,53) Local Commissions are chaired by the regional <i>hokim</i> (governor) and provide monthly reports to the National Commission. (38,53) In 2020, Local Commissions met twice monthly and provided an end-of-year report to the National Commission on alleged forced labor cases that had occurred in their regions. (42,46) Members of Local Commissions also received training from ILO on effectively carrying out mandates related to combating forced labor and sex trafficking. (40)

During the reporting period, the National Sub-Commission on Combating Forced Labor drafted an Action Plan based on international recommendations to eliminate the worst forms of child labor; the National Rapporteur formally approved this Action Plan in November 2020. (54) The National Sub-Commission on Combating Trafficking in Persons prepared addenda to Uzbekistan's draft National Referral Mechanism (NRM) regarding trauma-informed and child-friendly approaches to addressing human trafficking crimes. However, these addenda cannot be adopted or implemented until the full draft NRM package is adopted. (35) International organizations reported that the Sub-Commission's lack of a designated secretariat hampered communication with external stakeholders, which delayed action on activities to counter human trafficking. (35)

Although there were no reports of reprisals against individuals for monitoring labor conditions during the 2020 autumn harvest season, a group of activists reported that they were arrested by police while monitoring



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labor conditions in one region's cotton fields during the spring weeding season; one activist reported that he was beaten after being detained. The activists were subsequently placed under police supervision for 14 days of self-quarantine, allegedly for potential COVID-19 exposure from a police officer. (55) In 2020, the government continued to engage in dialogue with civil society stakeholders on child and forced labor issues. (14,56) In March, the Ministry of Justice registered a local independent human rights NGO, the first to receive official status since 2003. (57) However, there were also continued reports that many human rights NGOs, including those working on forced and child labor issues, were repeatedly denied official registration, sometimes for failing to meet requirements that had not been publicly specified. (15,58,59)

## 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 privatization policies in the cotton sector.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
Memorandum of Understanding Between the ILO and the Republic of Uzbekistan (2014–2020)	Established terms of agreement between ILO and the government on cooperation to implement the Decent Work Country Program in Uzbekistan. (60) In 2020, the Government of Uzbekistan and ILO continued to work together under this agreement. (33)
Plan of Immediate Measures in the Area of Combating Trafficking in Persons and Forced Labor ("Roadmap") (2019–2020)	Established a plan for updating legislation on sex trafficking and forced labor, building government capacity to combat sex trafficking and forced labor, enhancing transparency of conditions in the annual cotton harvest, raising awareness on sex trafficking and forced labor issues, and reforming the agriculture and textile industries. (61) In 2020, the National Commission passed legal reforms related to human trafficking that were envisioned under this roadmap, and continued to monitor the cotton harvest for labor violations. (35)
Action Plan on Implementing International Recommendations to Eliminate the Worst Forms of Child Labor†	Establishes a work plan to address international recommendations to advance the elimination of the worst forms of child labor in Uzbekistan. Aims to improve labor and criminal law enforcement, coordination, policies, and social programs related to the worst forms of child labor. (62)
Policies for Seasonal Cotton Harvest Workers	Establishes the minimum wages for cotton pickers and sets other guidelines with the goal of attracting voluntary labor to the annual harvest. In 2020, MOELR increased the minimum wage for cotton pickers compared to 2019 rates, and required local recruiters to work under civil law contracts. (33,36,63)
Strategy for the Development of Agriculture in the Republic of Uzbekistan (2020–2030)	Calls for a reduction of the state's involvement in agriculture and enhances farmers' autonomy over what crops to grow. Under the Strategy's priority action to end state intervention in agriculture, the President abolished state quotas for cotton and wheat production in 2020. (64,65)

† Policy was approved during the reporting period.

In 2020, President Mirziyoyev formally abolished the practice of imposing state quotas for cotton production. (65-67) Under this quota system in previous harvests, local and regional officials were held responsible for mobilizing adequate labor to harvest a centrally determined amount of cotton, which observers reported was a root cause of forced labor and increased the risk of child labor. (68,69)

However, independent monitors reported that in some parts of the country, local governments established and carried out regional cotton harvest plans that reproduced quotas on a local level. (14,67) Reports also continued during the 2020 harvest that some cotton "clusters" (vertically-integrated private business partnerships along the cotton value chain from farm to finished products) may reproduce quota pressures through contractual practices. (14,67,70) The government grants clusters exclusive territorial concessions to operate in individual districts, making the cluster the only potential buyer for cotton farmers in that district. (70-72) Although new regulations adopted in 2020 allow farmers to form independent cooperatives, they may only do so in districts without an existing, operational cluster. (36) Allegations persisted in 2020 that some clusters engage in coercive business practices against farmers, including failing to pay for delivered crops or purchasing cotton at a lower price than initially promised. However, such issues appear to be localized to specific districts and clusters. (73,74) Some clusters maintain close ties to local administrators, and there were reports that in the

2020 growing season, some farmers were asked to sign contracts in the presence of local *hokimiyats* (local government administrations), which then kept the contracts on behalf of the cluster. (14) In some cases, contracts included production targets for farmers that were recommended by the *hokimiyat* and included land confiscation penalties if farmers failed to deliver the contracted amount of cotton. These practices mimicked the pressures on farmers and officials that historically created high risks for labor exploitation under the national quota system. (14,70) Government of Uzbekistan officials acknowledged that the abolishment of production quotas has been implemented unevenly at the local level, including in the context of cluster contracts. (35)

Some clusters are investing in mechanical harvesting equipment and methods, which reduce the need for manual labor during the harvest. Clusters have also taken a varied approach to recruiting seasonal laborers, with some clusters investing in implementation of fair recruitment practices. (14,15,43,72) ILO and civil society monitors found that in some districts, the adoption of these practices resulted in a significant decrease in labor exploitation. Monitors confirmed that, for the first time since monitoring began, a few of the country's cotton-producing districts had zero cases of forced labor in the 2020 harvest. (14,15)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Efforts to Prevent Child and Forced Labor in the Cotton Harvest†	Includes initiatives to raise awareness about the prohibition of child and forced labor in the cotton harvest. (43,75) Starting in May 2020, the government distributed thousands of informational materials to employers and neighborhood organizations ( <i>mahalla</i> committees) about prohibitions on child labor and forced labor. During the cotton harvest season, the government also broadcast public service announcements on television about child and forced labor prohibitions and pickers' rights to decent work in the harvest. (12,40,42) ILO monitors reported an increase in cotton pickers' awareness of their labor rights and relevant labor laws in 2020 compared to prior years. (14)
National Rehabilitation Center†	MOELR-operated shelter that provides human trafficking victims with emergency medical and social services and assists in social rehabilitation. (3,8,75) This center provided assistance to 92 victims in 2020, including 12 children (9 boys and 3 girls). (12,40)
Population Employment Facilitation Centers†	Local centers run by MOELR to connect the unemployed with job opportunities, including paid public work and seasonal agricultural work. Matches job seekers with labor needs in the cotton harvest to reduce the risk of forced labor. (3,34,76) The government increased employment opportunities in public works projects in 2020 as part of its pandemic response efforts. (35,77) MOELR also created a dedicated website to recruit job seekers interested in working in the annual cotton harvest. (33)
Support for the Implementation of the Decent Work Country Program in Uzbekistan (2014–2020)	\$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. (78) During the reporting period, the project developed and conducted fair recruitment trainings for labor inspectors, government officials, farmers, brigade leaders, cotton cluster representatives, and other cotton-sector stakeholders. (33) Additional information is available on the USDOL <a href="#">website</a> .

† Program is funded by the Government of Uzbekistan.

In 2020, the government amended birth registration procedures to ensure all children are registered, including those born to undocumented parents. Citizenship eligibility was also extended to nearly 50,000 residents of Uzbekistan who had been rendered stateless by the dissolution of the Soviet Union. (46) The Ministry of Finance also worked with UNICEF to draft a new regulatory framework for social protection benefits, which is currently under review by other government bodies. (12) In addition, the government significantly increased funding for social services for human trafficking victims, including child victims. These expenditures included funding for anti-trafficking NGOs, shelters for trafficking victims, and legal assistance for trafficking victims. (52)

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 public works and street work.

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### 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 – 2020
	Update the Criminal Code so that it penalizes the use, procuring, and offering of children for both the production and trafficking of drugs.	2020
	Ensure that the law's light work provisions specify the activities and conditions in which children who have not yet completed their compulsory schooling may work.	2020
Enforcement	Continue to increase the number of labor inspectors to meet the ILO's technical advice.	2015 – 2020
	Ensure that labor inspectors conduct self-initiated unannounced inspections in all sectors, including at private enterprises, even if no complaint has been filed.	2018 – 2020
	Thoroughly investigate all potential criminal cases involving the worst forms of child labor and, when sufficient evidence exists, refer violations for criminal prosecution.	2020
	Remove the requirement that prosecution may only result if multiple forced labor violations occur within a 12 month period by allowing a single offense to be prosecuted or by expanding the 12-month period to encompass a longer period of time.	2020
Coordination	Designate standard mechanisms for communication between external stakeholders and national coordinating bodies to facilitate coordination of efforts to combat forced labor and sex trafficking.	2020
	Ensure that local NGOs monitoring child labor, forced labor, and other labor rights issues are able to register, and sanction officials who harass, intimidate, or abuse labor rights activists.	2017 – 2020
Government Policies	Ensure that local officials do not establish or enforce contractually mandated cotton production targets.	2020
	Monitor implementation of the new cluster system to ensure farmers are not coerced to enter into contracts with certain clusters or produce cotton under terms that create high risk for exploitative labor.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2013 – 2020
	Ensure that schools do not charge informal fees to students or their families.	2019 – 2020
	Expand programs to address the worst forms of child labor in sectors other than cotton harvesting.	2009 – 2020

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In 2020, Vanuatu made minimal advancement in efforts to eliminate the worst forms of child labor. In response to the COVID-19 pandemic, the government increased access to education by granting a school-fee exemption for the 2020 academic year, in addition to other measures such as increasing Internet capacity in schools for online schooling. The government also reconvened the National Children Protection Working Group. Although research is limited, children in Vanuatu are subjected to the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in forestry. Vanuatu's minimum age for hazardous work is too low to comply with international standards. Vanuatu also lacks a referral mechanism between criminal authorities and social services providers. In addition, the Government of Vanuatu did not respond to requests for information for this report.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Although research is limited, there is evidence that children in Vanuatu are subjected to the worst forms of child labor, including in forced domestic work and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also engage in dangerous tasks in forestry. (1-3) 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 (%)		91.7

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2021. (4)  
Data were unavailable from International Labor Organization's analysis, 2021. (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	Forestry, including logging (1,2,6,7)
Services	Street vending, including selling newspapers (1,2,6,7)
Categorical Worst Forms of Child Labor‡	Forced domestic work, sometimes as a result of human trafficking (3,8) Commercial sexual exploitation, sometimes as a result of human trafficking (7-9)

‡ 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. (1,2,6) Children living in remote areas face difficulties accessing education, increasing the risk of children's involvement in child labor. (10,11) In addition, approximately 50 percent of children reportedly drop out of the education system due to inadequate programs, facilities, and lack of school slots. (2) Families sometimes send children to live with relatives in nearby towns or cities, and these children are subjected to forced labor as domestic workers. (3,8)

During the reporting period, Vanuatu experienced multiple volcanic eruptions, earthquakes, cyclones, and tsunamis, which may impact the government's ability to address the worst forms of child labor. In April, Tropical Cyclone

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Harold displaced 6,218 individuals, nearly half of whom were children, who had no regular access to education while they were housed in evacuation centers. (11)

## 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 hazardous work.

**Table 4. Laws and Regulations on Child Labor**

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	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	Yes		Sections 7 and 78(2) 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	No		Sections 101B–D 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)

Vanuatu's hazardous work prohibitions do not comply with international standards that require all children under age 18 to be protected from work that could jeopardize their health and safety, and Vanuatu has yet to determine by law the types of hazardous work prohibited for children. (10,12,16,17) In addition, the Employment Act permits children under age 12 to perform light work in agricultural undertakings owned and managed by their

own family without requiring that the undertaking not have other employees and be for local consumption only, and permits children ages 12 and 13 to work in light agricultural work and domestic work, but it does not specify the activities or hours per week that are allowed. (12) The Penal Code does not include heightened penalties for inciting children to engage in illicit activities, including in drug production and drug trafficking, nor does it prohibit offering children for pornographic performances. (13) Although the government acknowledges these gaps and is developing a Child Protection Bill, research was unable to determine the status of the bill. (6,18) There is also no age up to which education is compulsory, increasing the risk of children's involvement in child labor.

Although it does not appear that there are any laws that provide free basic education, the Primary Education School Fee Grant Policy sometimes provides free basic education in government-owned schools for children in grades one to six. (9,19-21) During the reporting year, in response to the pandemic, the government announced that it would grant a school-fee exemption for the 2020 academic year, in addition to other measures such as increasing Internet capacity in schools for online schooling. (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 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	Enforces provisions set forth in the Employment Act, including child labor laws. (1)
Ministry of Justice and Community Services	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., UN Convention on the Rights of the Child), develops a system of protection for children, and supports community efforts to prevent child abuse. (1,2,19)
Vanuatu Police Force	Enforces all criminal laws related to the worst forms of child labor, and collaborates with the Vanuatu Tourism Office to combat commercial sexual exploitation of children. Prosecutes child labor cases. (1,9)
National Intelligence Unit	Operates under the Vanuatu Police Force. Is the designated lead and enforces Vanuatu's trafficking in persons laws, including possible commercial sexual exploitation of children as a result of human trafficking. (7,8)

The Child Desk does not have adequate financial and human resources to develop and integrate national planning initiatives into child protection policies. (1,2) Research indicates that the Government of Vanuatu lacks a centralized body or committee to coordinate anti-trafficking policies and operations. (23)

#### **Labor Law Enforcement**

In 2020, research did not find information on whether labor law enforcement agencies in Vanuatu took actions to combat child labor (Table 6).

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (1)	Unknown (2)
Number of Labor Inspectors	4 (9)	4 (21)
Inspectorate Authorized to Assess Penalties	No (12)	No (12)
Initial Training for New Labor Inspectors	Unknown (1)	Unknown (2)
Training on New Laws Related to Child Labor	Unknown (1)	Unknown (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Labor Inspections Conducted	Unknown (1)	Unknown (2)
Number Conducted at Worksite	Unknown (1)	Unknown (2)
Number of Child Labor Violations Found	Unknown (1)	Unknown (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (1)	Unknown (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (1)	Unknown (2)

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

Overview of Labor Law Enforcement	2019	2020
Routine Inspections Conducted	Unknown (1)	Unknown (2)
Routine Inspections Targeted	Unknown (1)	Unknown (2)
Unannounced Inspections Permitted	Yes (12)	Yes (12)
Unannounced Inspections Conducted	Yes (1)	Yes (2)
Complaint Mechanism Exists	No (24)	No (24)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	No (1)	No (2)

Vanuatu's referral mechanism lacks inter-agency referral and coordination protocols to connect enforcement authorities—including the Department of Labor and the Vanuatu Police Force—to social welfare services. The Government of Vanuatu did not respond to requests for information on its labor law enforcement efforts for inclusion in this report. (1,2,6,8)

### **Criminal Law Enforcement**

In 2020, research did not find information on whether criminal law enforcement agencies in Vanuatu took actions to combat child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	Unknown (1)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (2)
Refresher Courses Provided	Unknown (1)	Unknown (2)
Number of Investigations	Unknown (1)	50 (21)
Number of Violations Found	Unknown (1)	Unknown (2)
Number of Prosecutions Initiated	Unknown (1)	Unknown (2)
Number of Convictions	Unknown (1)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (1)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	No (1)	No (2)

The Vanuatu Police Force employs 50 investigators who enforce criminal law, including laws on the worst forms of child labor. (9,10) 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. (1,6) Most cases of child labor are dealt with by *Kastom* (an informal method individuals use to settle disputes), and although anyone can report a crime, research found that police are more likely to investigate if the victims themselves report their allegations. After a case is reported by the victim, the police are mandated to investigate the allegations and bring evidence to the public prosecutor for trial. (2,20) The Government of Vanuatu did not respond to requests for information on its criminal law enforcement efforts 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 efforts to address all forms of child labor.

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

Coordinating Body	Role & Description
National Children 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. (1,25-28) Reactivated in 2020 since stopping activities in 2014. According to its Terms of Reference, it will have a role in capacity building, systems strengthening, emergency preparedness and response, and coordination of services across all child protection sectors. (2,29)

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

Coordinating Body	Role & Description
<i>Kastom</i> (custom)	Serves as the primary informal method to handle child protection issues in Vanuatu. Comprises informal service providers, including religious leaders, women's groups, and NGOs, to whom children are referred through <i>Kastom</i> for services. (1,6) Although there are no formal reports of this service being used during the reporting period, it may have been used in rural areas. (30)

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. (25) Although *Kastom* is a common mechanism used to address child protection issues, research found that 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. (1,6) In addition, research found that inter-agency coordination between law enforcement agencies on human trafficking investigations was primarily ad hoc. Lastly, there were early reports in 2020 that government resources were diverted away from anti-trafficking related duties, including eliminating the worst forms of child labor, to address the impact of the pandemic. (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 implementation.

**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Children Protection Policy (2016–2026)	Aims to protect children from the worst forms of child labor, including commercial sexual exploitation and human trafficking. Provides children with equitable access to services to support reintegration and recovery when needed. (9,25,27)
Child Safeguarding Policy (2017–2020)	Provided guidelines for protecting children from abuse, including child labor, violence, sexual abuse, neglect, and exploitation. Maintained a presence in capacity building, emergency preparedness and response, and coordination of services related to child protection. (1,31)
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. (32)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (33)

Research was unable to determine whether any policies were active during the reporting period. The National Children Protection Policy does not have a dedicated budget, and the offices responsible for its implementation suffer from a lack of human and financial resources. (2,6,34)

There is no register of civil society organizations tasked with protecting children, and social services providers are not required to be registered with the state. Furthermore, there are no standards or requirements that child protection agents or social services providers must follow when addressing children's issues. (1,6,27)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 of the programs.

**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. (35,36)

† Program is funded by the Government of Vanuatu



## MINIMAL ADVANCEMENT

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 II).

**Table II. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ratify the Palermo Protocol on Trafficking in Persons.	2014 – 2020
	Ensure that the minimum age for hazardous work is age 18.	2016 – 2020
	Determine by national law or regulation the types of hazardous work prohibited for children after consultation with employers' and workers' organizations.	2009 – 2020
	Ensure that the law protects children ages 12 and 13 employed in light agricultural work by specifying the hours per week that are allowed.	2009 – 2020
	Ensure that the law prohibits the use, procuring, or offering of a child for pornographic performances.	2019 – 2020
	Ensure that the law specifically prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2016 – 2020
	Ensure that the law criminalizes the recruitment of children under age 18 by non-state armed groups.	2016 – 2020
	Establish a law providing free basic public education.	2016 – 2020
	Establish by law an age up to which education is compulsory that extends to the minimum age for work.	2016 – 2020
Enforcement	Publish information on child labor law enforcement efforts undertaken, including labor inspectorate funding, the number and type of labor inspections conducted, violations found, and penalties imposed and collected.	2012 – 2020
	Strengthen the labor inspectorate by ensuring the ability to assess penalties and initiating targeted inspections based on analysis of data related to risk-prone sectors and patterns of serious incidents.	2016 – 2020
	Train labor inspectors on enforcing child labor laws, train criminal investigators on enforcing laws prohibiting the worst forms of child labor, and make the results of these efforts public.	2014 – 2020
	Publish information on the number of criminal law enforcement efforts undertaken, including the number of investigations conducted, violations found, prosecutions initiated, convictions made, and penalties imposed.	2012 – 2020
	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 – 2020
	Ensure that the Child Desk has adequate financial and human resources to develop and integrate national planning initiatives for child protection policies.	2019 – 2020
	Ensure that all complaints of child labor are investigated, regardless of who lodges the complaint.	2019 – 2020
	Ensure complaint mechanisms exist between labor authorities and social services and between criminal authorities and social services.	2020
Coordination	Establish a coordinating mechanism to combat child labor, including its worst forms.	2012 – 2020
	Establish inter-agency protocols and a referral and coordination mechanism between <i>Kastom</i> and government child protection services.	2018 – 2020
	Ensure that the National Children Protection Working Group is sufficiently funded by the government, and that the Group drafts and implements a national policy on eliminating commercial sexual exploitation of children.	2018 – 2020
Government Policies	Ensure that all policies are allocated funding and implemented as intended to address all relevant worst forms of child labor, including the commercial sexual exploitation of children.	2016 – 2020
	Ensure that social services providers are registered and follow a standard set of procedures in providing care to vulnerable children.	2019 – 2020
Social Programs	Collect and publish data on the extent and nature of child labor to inform policies and programs, including in forestry and agriculture.	2014 – 2020
	Increase access to education for children living in remote locations.	2012 – 2020
	Ensure that the Education School Fee Grant program is active, sufficiently funded, and contains child labor elimination policies or efforts.	2018 – 2020



For the 2020 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 worst forms of child labor problem and 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. (1) Wallis and Futuna has a population of 15,851 inhabitants. (2)

### II. LEGAL FRAMEWORK FOR CHILD LABOR

Wallis and Futuna is a French overseas collectivity, and, as such, cannot ratify international conventions. However, France's ratification of such conventions applies to Wallis and Futuna. (3,4) 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. (3,4) 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 (5)
Minimum Age for Hazardous Work	Yes	18	Article 115 of the Labor Code of Wallis and Futuna (5)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Article 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 (6,7)
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 (5,8)
Prohibition of Child Trafficking	Yes		Articles 225-4-1 to 225-4-9 and 711-1 of the Penal Code (8)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 225-5 to 12 and 711-1 of the Penal Code (8)
Prohibition of Using Children in Illicit Activities	Yes		Articles 222-35, 227-15 to 227-28-3, and 711-1 of the Penal Code (8)
Minimum Age for Voluntary State Military Recruitment	N/A†		
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		

# Wallis and Futuna

## NO ASSESSMENT

**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		Articles 461-7 of the Penal Code (8)
Compulsory Education Age	Yes	16	Articles L131-1 and L161-1 of the Education Code of France (9)
Free Public Education	Yes		Articles L132-1, L132-2, and L161-1 of the Education Code of France (9)

\* No conscription (10)

† No standing military (11)

### 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). Wallis and Futuna has one labor inspector to enforce these laws and regulations. (1)

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Service of Labor and Social Laws Inspectorate	Enforces French labor law and mediates in labor conflicts within Wallis and Futuna, falling under the joint authority of the Ministry of Labor and the Ministry of Overseas Territories. (3)
Defender of Rights	Promotes children's rights, including through the prohibition of child labor. (11)
French National Police	Oversee the health and safety of children. (11)

As there is no evidence of a problem, there appears to be no need for 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.

### 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.

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# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

In 2020, the Palestinian Authority made 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 Social Development conducted an inspection campaign in Nablus aimed at stemming child labor. The Palestinian Authority also cooperated with the United Nations Children's Fund to reach 11,900 Palestinian children with psychosocial support, provide 3,496 tablets pre-loaded with educational materials, support the Ministry of Education in developing school safety protocols, and provide hygiene and cleaning supplies to 2,250 school premises. However, children in the West Bank and the Gaza Strip are subjected to the worst forms of child labor, including in begging, sometimes as a result of human trafficking, and in illicit activities. Children also perform dangerous tasks in construction and fishing. The Palestinian Authority's legal framework does not criminally prohibit all elements of child trafficking, and labor inspectors are not authorized to assess penalties. In addition, Palestinian Authority 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 are subjected to the worst forms of child labor, including in begging, sometimes as a result of human trafficking, and in illicit activities. Children also perform dangerous tasks in construction and fishing. (1,2) 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.

**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 (%)		96.3

Source for primary completion rate: Data from 2019, published by UNESCO Institute for Statistics, 2021. (3)  
Data were unavailable from International Labor Organization's analysis, 2021. (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	Cultivating fruits and vegetables, including dates, olives, onions, sweet peppers, and tomatoes (5-10)
	Fishing,† including working on fishing boats and repairing nets (1,6,11,12)
Industry	Construction,† including demolishing buildings and collecting rubble and gravel for construction purposes (1,6,8,9,13-15)
	Manufacturing, including working in pottery workshops (1,7,13)
	Working in factories (6)
	Mining and quarrying‡ (7,16)
Services	Street vending, portering, and cleaning cars (1,6,8,13,14,17)
	Begging (6,8)
	Working in auto shops (6,13)
	Working in shops, hotels, restaurants, and bakeries (1,6,7,9,12)
	Domestic work (1,6,15)
	Transporting goods (6)
	Collecting scrap metal, cement bricks, and solid waste† (6,18)
	Scavenging garbage, steel, and gravel at trash pits (9,12,15,17,19)
Categorical Worst Forms of Child Labor‡	Use in illicit activities, including smuggling drugs and food (1)
	Recruitment of children by non-state armed groups for use in armed conflict (20)
	Begging as a result of human trafficking (18,21)
	Commercial sexual exploitation (2,18)

† 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.

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

Children may be 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. (1,5,10,22) Some West Bank Palestinian girls are vulnerable to being exploited for sex and labor 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. (23)




In 2020, the COVID-19 pandemic caused school closures and difficulty accessing online instruction. UNICEF reports that 575,000 children in the Gaza Strip lacked access to computer equipment, reliable power, and the Internet. (24) In the Gaza Strip, most schools operate on a split schedule, offering only 4 hours of instruction per day. (6,25,26) Overcrowded classrooms, violence in schools, and damaged schools susceptible to disruption due to weather contribute to some children dropping out. (1,6,9,26) In the West Bank, school closures, Israeli demolition and confiscation of schools, and long distances and fear of harassment at checkpoints by settlers prevent some children from attending school. (27)

In 2020, the UN verified the recruitment and use of two boys in Gaza for Hamas' militant wing, Al-Qassam Brigades. (20)

## II. LEGAL FRAMEWORK FOR CHILD LABOR

The PA has Non-Member Observer status at the UN. In April 2014, PA officials presented to UN officials letters of accession to 15 UN treaties, 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). (28) 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	No	15	Article 93 of the Labor Law for the West Bank and the Gaza Strip (29,30)
Minimum Age for Hazardous Work	Yes	18	Article 95 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 (30)
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 (31)

**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 (31)
Prohibition of Child Trafficking	No		Article 1 of Minister of Labor's Decree on Hazardous Work for the West Bank and the Gaza Strip (31)
Prohibition of Commercial Sexual Exploitation of Children	No		Articles 306 and 310 of the Jordanian Penal Code for the West Bank; Articles 167 and 172(5) of the Penal Code for the Gaza Strip (32,33)
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 (29,32,33)
Minimum Age for Voluntary State Military Recruitment	Yes†	18	Article 46 of the Palestinian Child Law for the West Bank and the Gaza Strip (29)
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 (29)
Compulsory Education Age	Yes	16	Articles 3 and 18 of the Palestinian Education Act for the West Bank and the Gaza Strip; Article 37 of the Palestinian Child Law for the West Bank and the Gaza Strip (29,34)
Free Public Education	Yes		Articles 3 and 15 of the Palestinian Education Act for the West Bank and the Gaza Strip (34)

\* No conscription in the West Bank and the Gaza Strip (22)

† No standing military in the West Bank (22)

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 Labor Law's minimum age provision does not apply to minors who work for their first degree relatives, which is not in line with international standards that limit the exception for family-based work to small-scale holdings producing for local consumption and not regularly employing hired workers. (30)

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. (30,31) In addition, laws criminalizing commercial sexual exploitation of children are insufficient because they do not criminalize the use, procuring, and offering of all male and female children for prostitution, the production of pornography, or pornographic performances. (29,32,33) Further, there are no criminal penalties for recruiting children into non-state armed groups. (29)

### 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 enforcement agencies 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), General Administration of Labor Inspection and Protection	Enforces labor laws, including those related to child labor. (8)
Ministry of Social Development (MOSD), Child Protection Department	Ensures compliance with the Palestinian Child Law for the West Bank and the Gaza Strip, which prohibits the worst forms of child labor and establishes the minimum age for work. (8)

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

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

Organization/Agency	Role
Police Bureau for the Protection of the Family and Adolescents	Investigates violations of laws, including the commercial sexual exploitation and economic exploitation of children. Coordinates with MOSD to monitor cases of child labor and economic exploitation. (8)
Office of the Public Prosecutor for Children	Investigates and prosecutes cases of child exploitation, including child labor. (8)

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 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 and the vast majority of the West Bank’s agricultural areas. (35-38) Although PA laws ostensibly apply to both the West Bank and the Gaza Strip, the PA has no means to enforce compliance in Area C of the West Bank and no control in the Gaza Strip, in which Hamas exercises de facto control and does not enforce PA laws and regulations. (36,38,39)

### 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	2019	2020
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	No (30)	No (30)
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 (30)	Yes (30)
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Yes (8)	Yes (8)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (8)	Yes (8)

In 2020, the Ministry of Social Development conducted an inspection campaign in Nablus aimed at stemming child labor. (40)

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. (1,18)

### 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).

# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
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 (8)	Yes (8)

PA officials previously stated that insufficient resources hampered their capacity to enforce criminal laws related to the worst forms of child labor. (1)

#### 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
MOSD Child Protection Networks	Monitor cases of child labor, ensuring that MOL's services are provided to withdraw children from child labor. Include eight technical committees throughout the West Bank to provide psychological and social support to children and caregivers. (8) Coordinate with the Ministry of Education on cases of school dropouts and child labor. Work with MOSD's 13 Youth Social Rehabilitation Centers that provide children who have dropped out of school with social, education, vocational, and cultural training. (8) Comprising the MOSD, MOL, Ministry of Education, Ministry of Interior, and other Palestinian Authority and non-governmental organizations. (41) The PA Ministry of Labor confirmed that the network was active in 2020, except during periods of lockdown due to the pandemic. (42)

#### V. GOVERNMENT POLICIES ON CHILD LABOR

Research found no evidence that the PA has established policies to address child labor.

The PA's 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. (43) However, child labor elimination and prevention strategies do not appear to have been integrated into this policy as distinct issues.

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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.



# West Bank and the Gaza Strip

## MINIMAL ADVANCEMENT

**Table 9. Key Social Programs to Address Child Labor**

Program	Description
MOL's Vocational Centers†	Palestinian Authority (PA) program in the West Bank, consisting of 13 employment offices and 9 vocational centers operated by MOL, for children over the age of 15 to enroll in vocational training courses. MOL also provides financial assistance to families, ensuring that children return to school and no longer engage in child labor. (8) Research was unable to determine what steps were taken in 2020 to implement this program.
UN Education Programs	UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) programs provide educational support for children and youth in refugee camps, and microfinance and other forms of support to families in the West Bank and the Gaza Strip. (44) In the 2018–2019 academic year, UNRWA provided education to over 46,000 students, and vocational training for 1,000 students in the West Bank and approximately 279,000 students in Gaza. (45,46) In 2020, UNICEF reached 11,900 Palestinian children with psychosocial support; provided 3,496 tablets pre-loaded with educational materials; supported the Ministry of Education in developing school safety protocols; and provided hygiene and cleaning supplies to 2,250 school premises. (24)

† Program is funded by the Palestinian Authority.

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.

## 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 and the Gaza Strip (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 – 2020
	Ensure that the minimum age for work applies to all children, excepting only those working in family and small-scale holdings producing for local consumption and not regularly employing hired workers.	2020
	Ensure that the law criminally prohibits child trafficking, including both domestic and international human trafficking, in accordance with international standards.	2015 – 2020
	Establish laws that criminally prohibit forced labor, including debt bondage and slavery.	2017 – 2020
	Ensure that the use, procurement, and offering of children for all forms of commercial sexual exploitation are criminally prohibited.	2017 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
Enforcement	Ensure that child labor laws are enforced in the Gaza Strip.	2010 – 2020
	Publish information on labor law and criminal law enforcement efforts, 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, and the number of investigations, prosecutions, and convictions.	2010 – 2020
	Authorize the labor inspectorate to assess penalties.	2016 – 2020
	Provide further resources and staff to the Ministry of Labor and the Ministry of Social Affairs to conduct labor inspections and criminal investigations.	2010 – 2020
Coordination	Ensure that Child Protection Networks are able to carry out their intended mandates.	2017 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the National Policy Agenda and ensure that it is implemented.	2017 – 2020
Social Programs	Expand programs to improve access to education; for example, ensure that children are not subject to violence, schools are weatherproof, and delays at checkpoints are not prohibitive.	2011 – 2020
	Ensure that Ministry of Labor's social programs are implemented, including vocational centers.	2017 – 2020
	Expand programs to further address child labor, specifically in construction, street work, illicit activities, and agriculture.	2010 – 2020
	Collect and publish data on the extent and nature of child labor to inform policies and programs.	2020

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In 2020, Morocco made 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. In 2020, the government enacted programs to pilot a child protection network and assess the feasibility of 10 additional child welfare centers. In addition, the Ministry of Labor launched a new roadmap for fighting child labor that seeks to: improve Domestic Work Law 19.12 and make benefits available from the National Social Security Fund to child domestic workers; improve labor inspections at the 54 designated centers across the country by hiring specialists to enhance the oversight of inspections and the methodology behind interventions; strengthen partnerships with civil society organizations; and increase international cooperation on child labor. Morocco also became a Pathfinder country under Alliance 8.7 in 2020, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. However, children in Western Sahara are subjected to the worst forms of child labor, including in forced domestic work and in commercial sexual exploitation. Children also engage in child labor in producing artisanal handicrafts. 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. Furthermore, 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

Although research is limited, there is evidence that children in Western Sahara are subjected to the worst forms of child labor, including in forced domestic work and in commercial sexual exploitation. Commercial sexual exploitation of migrant girls occurs and is reportedly more prevalent in fishing villages and on fishing boats. (1,2) Children, particularly in rural areas, are vulnerable to child labor due to educational barriers similar to those faced in other locations in Morocco, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers. (1,2) Research has not been conducted to determine the prevalence of child labor in Western Sahara, nor has research found the levels of education among children who are engaged in child labor in Western Sahara.

### 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. (2,3) 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. (1,2,4-6) 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	✓

# Western Sahara

## MODERATE ADVANCEMENT

The Government of Morocco has established laws and regulations related to child labor that extend to Western Sahara (Table 2). However, gaps exist in Morocco'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	15	Article 143 of the Labor Code (7)
Minimum Age for Hazardous Work	Yes	18	Articles 147 and 181 of the Labor Code (7)
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 (7,8)
Prohibition of Forced Labor	No		Article 10 and 12 of the Labor Code; Article 467-2 of the Penal Code (7,10)
Prohibition of Child Trafficking	Yes		Articles 448.1, and 448.4-448.5 of the Law on Trafficking in Human Beings (9)
Prohibition of Commercial Sexual Exploitation of Children	No		Article 503-2 of the Penal Code (10)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Voluntary State Military Recruitment	Yes	19	Article 4 of Royal Decree of 9 June 1966 (11)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Article 4 of Law No. 44-18 (12)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Articles 448.1 and 448.4 of the Law on Trafficking in Human Beings (9)
Compulsory Education Age	Yes	16	Article 1 of Law No. 04-00 (13)
Free Public Education	Yes		Article 1 of Law No. 04-00 (13)

The labor law does not apply to children who work in the traditional artisan or handicraft sectors for family businesses with fewer than five employees. (7)

The Penal Code only criminalizes the forced labor of children under 15 years old. (25) Moroccan law does not prohibit the use, procuring, or offering of children for the production or trafficking of drugs. (26,31,34)

### 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. The government does not publicly release information on its labor law enforcement efforts in Western Sahara.

**Table 3. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Vocational Integration (MOLVI)	Enforces child labor laws with its 54 inspection offices throughout the country. (21) During the reporting period, MOLVI launched a new roadmap for fighting child labor that seeks to: improve Domestic Work Law 19.12 and make benefits available from the National Social Security Fund to child domestic workers; improve labor inspections at the 54 designated centers across the country by hiring specialists to enhance the oversight of inspections and the methodology behind interventions; strengthen partnerships with civil society organizations; and increase international cooperation on child labor. (21)
Ministry of the Interior	Enforces prohibitions on trafficking in persons, prostitution, and other exploitative crimes involving minors, as established in the Penal Code, through the General Directorate of National Security. (2,14,21,22)
General Prosecutor	Prosecutes criminal offenses against children and processes cases involving women and children in the court system. (1,14,21,22) The General Prosecutor is a judiciary body that serves independently from the Ministry of Justice. (21)



#### 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 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. (20,21) Met regularly in 2020. (21)
The Inter-Ministerial Commission for Combating Trafficking in Persons	Coordinates the government's approach to trafficking in persons on an inter-ministerial level. Conducts training sessions for members of the security services. (26) Chaired by the Head of the Government and lead by the Ministry of Justice, with representation from civil society. (21) Established in May 2019. (21,26,27)

#### 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
Ministry of Solidarity, Social Development, Equality and the Family Integrated Public Policy on the Protection of Children in Morocco	Promotes an interdisciplinary approach to respond to the exploitation of children and other issues. (14,28) In 2020, the government enacted programs to pilot a child protection network and assess the feasibility of 10 additional child welfare centers. (21)

In 2020, Morocco became a Pathfinder country under Alliance 8.7, which calls for the eradication of child labor by 2025, and forced labor, modern slavery, and human trafficking by 2030. (21)

#### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 6). However, gaps exist in these social programs, including the adequacy of efforts to address the problem in all sectors.

**Table 6. Key Social Programs to Address Child Labor**

Program	Description
Tayssir Conditional Cash Transfer Program†	Ministry of Solidary, Social Development, Equality and the Family 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. (4,21) In 2020, over two million students from low-income families were participants in the Tayssir program. In addition, in 2020, 13,221 children with disabilities received education assistance. (21)

† 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. (21,23,29)

In 2020, the government continued a regularization campaign to provide legal status and documentation to foreign migrants who are vulnerable to exploitation for child labor. (22,32,33) 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 subjected to forced domestic work. (1,3,34)

#### 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).

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**Table 7. Suggested Government Actions to Eliminate Child Labor**

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that all children age 15 and under are protected by law, including children who work for artisan and handicraft businesses that regularly employ hired workers or produce goods for non-local consumption.	2009 – 2020
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for prostitution.	2019 – 2020
	Criminalize the use, procuring, and offering of children for the production and trafficking of drugs.	2015 – 2020
	Ensure that forced labor of children over age 15 is criminalized.	2019 – 2020
Social Programs	Remove barriers to education, such as insufficient facilities, lack of reliable and safe transportation, and unqualified teachers, particularly in rural areas.	2015 – 2020
	Expand existing programs to address the scope of the child labor problem, including child victims of commercial sexual exploitation.	2017 – 2019
	Conduct a comprehensive study of children's work activities to inform policies and practices to determine whether children are engaged in or at risk of becoming involved in child labor, and determine the number of child laborers and their education levels.	2013 – 2019

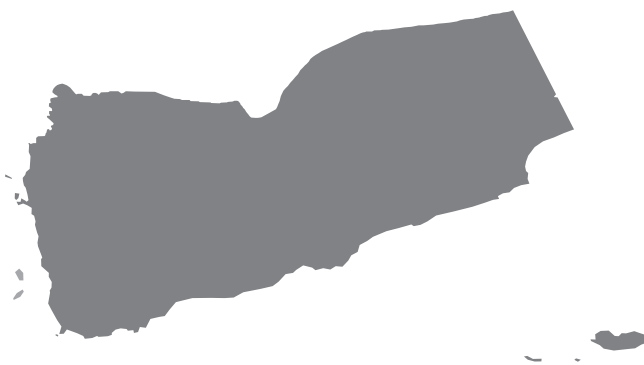
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## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2020, Yemen made minimal advancement in efforts to eliminate the worst forms of child labor. In 2020, the government trained judges and employers in Hadramawt and Ma'rib on the harms of child labor and child soldier recruitment. Despite this initiative to address child labor, however, Yemen is assessed as having made only minimal advancement because it continued to implement practices that delay advancement to eliminate child labor. There is evidence of recruitment and use of children in hostilities by state armed forces in contravention of Yemeni law. Furthermore, the government failed to make efforts to address discrimination in schools against children from the Muhamasheen (“marginalized”) community, leading to their increased vulnerability to child labor. Children in Yemen are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and armed conflict, including by Houthi (also known as Ansar Allah) insurgent forces and other armed groups. Children also engage in child labor in fishing. Research found no evidence of a policy on worst forms of child labor outside of child soldiering, such as commercial sexual exploitation and child trafficking. Moreover, the Republic of Yemen Government continued to exert limited operational control over its ministries and was unable to enforce regulations to combat child labor.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Yemen are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and armed conflict, including by Houthi insurgent forces (also known as Ansar Allah) and other armed groups. (1-2) Children also engage in child labor in fishing. (3,4) Table I provides key indicators on children’s work and education in Yemen.

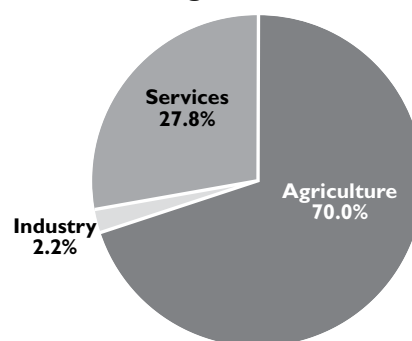
**Table I. Statistics on Children’s Work and Education**

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 (%)		72.3

Source for primary completion rate: Data from 2016, published by UNESCO Institute for Statistics, 2021. (5)

Source for all other data: International Labor Organization’s analysis of statistics from National Child Labour Survey (NCLS), 2010. (6)

**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,† including harvesting dates (7-9)
	Fishing,† activities unknown (3,4,7,10,11)
	Hunting, activities unknown (4)
Industry	Quarrying† and mining† (4,7,11)
	Construction† and brick production (3,4,9,10)
	Working in carpentry† and welding† workshops (3,10,12,13)

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

Sector/Industry	Activity
Services	Street work, including selling items, and begging (3,4,9,14-17)
	Working in auto repair and mechanic shops,† car washes, and collecting fares in taxis (7,9,11)
	Domestic work† (4,8)
	Selling goods in stores and transporting them, working in bakeries (4,9)
	Voluntarily-recruited children used in hostilities by state armed groups (18-22,23)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (1,3,10,24-27)
	Use in illicit activities, including in trafficking of drugs (10,28-30)
	Domestic work, begging, and working in small shops, each as a result of human trafficking (25,28)
	Recruitment of children by non-state armed groups for use in armed conflict (3,10,22,31-23)

† 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.

Conditions continued to deteriorate in Yemen in 2020 due to the impacts of escalating hostilities, a collapsing economy, food insecurity, and disease, including the COVID-19 pandemic, that collectively displaced an additional 172,000 Yemenis in 2020. (34) During the reporting period, more than 20 million Yemenis were in need of humanitarian assistance, with 14.3 million in acute need and 4 million internally displaced, 2.2 million of whom were children. (34-36) Yemen was also home to approximately 178,000 refugees and asylum seekers, mostly from Somalia and Ethiopia. (34) In addition, 11 percent of the 37,500 new arrivals to Yemen were unaccompanied minors, most of whom were subjected to detention, forced recruitment, and human trafficking. (34) Vulnerable populations, including IDPs and refugees, were at increased risk of child labor and human trafficking. (37,38)

Armed conflict in Yemen intensified in 2020, and security and access restrictions further constrained international observers’ ability to fully monitor grave violations, including the recruitment and use of children in armed conflict. Armed groups, especially the Houthis, but also pro-Saudi-led Coalition militias, recruited and used child soldiers in armed combat in 2020. (23,33) In addition, the Yemeni Armed Forces recruited and used children, typically ages 15 to 17, for these same purposes, in contravention of Yemeni law. (23,32) The government’s failure to institute effective mechanisms for age verification continued to prolong the problem. According to UN reporting of verified cases, the Houthis recruited and used 163 children in 2020, the Yemeni Armed Forces recruited and used 34 children, and other armed groups recruited and used an additional 14 children. (23) Between 2016 and 2020, the UN also reported that pro-coalition militias recruited boys in Ta’izz and Lahij, transported them for training in Saudi Arabia, and redeployed them to Yemen. (32) In areas under Houthi control, children are indoctrinated in schools and recruited into armed forces in 34 schools in 6 governorates. (32) Boys recruited by the Houthis are often used in combat roles and girls are used as recruiters, guards, and spies, and in other non-combat roles. (32)

In 2020, the pandemic exacerbated the already significant barriers to education in Yemen. (39) In March, schools across Yemen were suspended and did not reopen until October. (39,40) The number of children out of school has correspondingly increased from 2 million to 5.8 million. Moreover, most teachers have also not received salaries in 3 years. (39) Many families could not afford transportation costs to schools, and Yemen’s multiple crises have pushed families further into poverty making it increasingly difficult to access education. (39,41) According to UNICEF, school closures have had a deleterious impact on school attendance and other aspects of children’s lives that has made them more vulnerable to child labor, child sexual exploitation, and recruitment into armed groups. (39)

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. (42,43) They also make up a large proportion of people living as IDPs. (44) 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. (43,45) *Muhamasheen* boys are vulnerable to sexual violence by armed actors,



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particularly while they engage in child labor, even if they are not directly involved in armed conflict. (45) Research did not uncover any government efforts to address discrimination.

Yemeni children, mostly boys who migrate to Sana'a and Aden within Yemen and Saudi Arabia, are engaged in forced labor for domestic work, begging, or work in small shops. (25,28) Moreover, research indicates that commercial sexual exploitation and child trafficking have increased over the past several years. (25) Girls are subjected to human trafficking for the purpose of commercial sexual exploitation within Yemen in hotels and clubs located in Aden, Sana'a, Ta'izz, and other cities. (28,46)

## 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 laws prohibiting 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 (47)
Minimum Age for Hazardous Work	Yes	18	Article 7 of Ministerial Order No. 11 of 2013 (47)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Articles 7–8 and 15 of Ministerial Order No. 11 of 2013 (47)
Prohibition of Forced Labor	No		Articles 6(b) and 26 of Ministerial Order No. 11 of 2013; Article 248 of the Penal Code (47,48)
Prohibition of Child Trafficking	No		Article 26 of Ministerial Order No. 11 of 2013 (47)
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 of 2013 (47-49)
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 (47,49)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 149 of the Child Rights Law (49)
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 (47)
Compulsory Education Age	Yes	15‡	Article 18 of the General Education Law (50)
Free Public Education	Yes		Article 87 of the Child Rights Law (49)

\* No conscription (51)

‡ Age calculated based on available information (47)

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Although Article 248 of the Penal Code criminalizes buying, selling, and dealing in human beings, the legal framework does not appear to prohibit forced labor. (48)

The law related to child trafficking is insufficient because it only provides criminal penalties for anyone who has bought, sold, or disposed of any child. (47)

The legal framework does not adequately prohibit using, procuring, or offering a child in pornography and pornographic performances, or using a child in prostitution. (47-49)

The minimum age for work is lower than the compulsory education age, which may encourage children to leave school before the completion of compulsory education. (47,50)

### 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, research found no evidence that law enforcement agencies in Yemen took actions to combat child labor.

**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. (11)
Ministry of the Interior	Enforces child labor laws. Police departments within this ministry handle human trafficking investigations. (11)
Ministry of Justice	Enforces child labor laws; prosecutes and adjudicates child labor cases. (11)

#### **Labor Law Enforcement**

Research did not find information on whether labor law enforcement agencies in Yemen took actions to combat child labor.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (10)	Unknown (3)
Number of Labor Inspectors	Unknown (10)	Unknown (3)
Inspectorate Authorized to Assess Penalties	Yes (10)	Yes (3)
Initial Training for New Labor Inspectors	Yes (10)	Unknown (3)
Training on New Laws Related to Child Labor	Yes (10)	N/A
Refresher Courses Provided	Yes (10)	Unknown (3)
Number of Labor Inspections Conducted	182 (10)	Unknown (3)
Number Conducted at Worksites	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)	Unknown (3)
Routine Inspections Targeted	Unknown (10)	Unknown (3)
Unannounced Inspections Permitted	Yes (10)	Unknown (3)
Unannounced Inspections Conducted	Yes (10)	Unknown (3)
Complaint Mechanism Exists	Unknown (10)	Unknown (3)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown (10)	Unknown (3)

During the reporting period, the Republic of Yemen Government continued to exert limited operational control over its ministries and was unable to enforce regulations to combat child labor. (3)

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The Ministry of Social Affairs and Labor does not have the authority to enforce child labor laws in casual employment, farming, and domestic work and lacks a referral mechanism for child labor complaints. (10,52)

While the number of labor inspectors is unknown, according to the ILO's technical advice of a ratio approaching 1 inspector for every 40,000 workers in less developed economies, Yemen would need to employ roughly 186 labor inspectors as its workforce consists of over 7.425 million workers.

**Criminal Law Enforcement**

Research did not find information on whether criminal law enforcement agencies in Yemen took actions to combat child labor (Table 7).

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (10)	No (3)
Training on New Laws Related to the Worst Forms of Child Labor	Unknown (10)	N/A
Refresher Courses Provided	Unknown (10)	Unknown (3)
Number of Investigations	Unknown (10)	0 (3)
Number of Violations Found	Unknown (10)	0 (3)
Number of Prosecutions Initiated	Unknown (10)	0 (3)
Number of Convictions	Unknown (10)	0 (3)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	No (10)	No (3)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (10)	No (3)

In 2020, the government remained unable to investigate, prosecute, or convict government officials allegedly complicit in human trafficking offenses, including the recruitment and use of child soldiers by the Republic of Yemen Government's Armed Forces. (3) Further, the government lacked the capacity to adequately oversee, effect, investigate, and prosecute labor violations as a criminal matter. (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 efficacy in accomplishing mandates.

**Table 8. 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, and local NGOs. (11) The National Steering Committee to Combat Child Labor was not active during the reporting period. (3)
National Network for Child Protection	Implements training programs and media awareness campaigns, and advocates for progress on children's issues. (11) 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. (53) Research was unable to determine whether the Action Plan to End and Prevent the Recruitment of Children 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 covering all worst forms of child labor.

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**Table 9. 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. (22) In January and February 2020, the Republic of Yemen Government coordinated trainings for judges and employers in Hadramawt and Ma'rib on the harms of child labor and child soldier recruitment. (3)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (54)

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. (31) The government has drafted a National Plan to Reduce Child Labor; however, the plan is pending approval. The government has emphasized that it could not implement the plan without donor support. (31)

### VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, the government participated in programs that include the goal of eliminating child labor (Table 10). However, gaps exist in these social programs, including adequacy of services to address the full scope of the problem in all sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Educational Activities	UNICEF-funded programs conducted in cooperation with the Republic of Yemen Government that provide educational support activities and services. (55) In 2020, UNICEF worked with the Ministry of Education and others to help ensure that schools operated under proper safety protocols amid the COVID-19 pandemic. (56)

Since 2017, the Saudi Arabian Government has implemented the Child Soldier Rehabilitation Program in Yemen to provide services to former child soldiers. It has served 530 former child soldiers since its inception through the reporting period. (3)

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 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 – 2020
	Ensure that forced labor is criminally prohibited.	2015 – 2020
	Ensure that trafficking of children, including recruitment, harboring, transportation, transfer, and receipt, for purposes of forced labor and commercial sexual exploitation, is criminalized.	2015 – 2020
	Ensure that the law criminally prohibits the recruitment of children under age 18 into non-state armed groups.	2016 – 2020
	Ensure that the law adequately prohibits using, procuring, or offering a child in pornography and pornographic performances, and using a child in prostitution.	2020
	Raise the minimum age for work to the age up to which education is compulsory.	2018 – 2020
Enforcement	Enforce laws prohibiting children under age 18 from joining the Yemeni Armed Forces, including by implementing adequate screening and age verification measures, and remove children under age 18 in the Yemeni Armed Forces and pro-government militias from engaging in combat.	2018 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that the labor inspectorate has the capacity to enforce labor laws, including reestablishing a mechanism to receive child labor complaints.	2015 – 2020
	Ensure the number of labor inspectors in Yemen meets the ILO's technical guidance.	2020
	Ensure that labor inspectors have proper funding and training to conduct inspections.	2009 – 2020
	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 – 2020
	Ensure that criminal law enforcement agencies enforce child labor laws and publish information on enforcement activities.	2015 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2017 – 2020
Government Policies	Adopt a policy that addresses all relevant worst forms of child labor, such as commercial sexual exploitation and child trafficking.	2009 – 2020
Social Programs	Expand programs to improve children's equal access to education, particularly for child <i>Muhamasheen</i> .	2013 – 2020
	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 – 2020

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In 2020, Zambia made moderate advancement in efforts to eliminate the worst forms of child labor. The government significantly increased funding for its labor inspectorate and finalized its second National Action Plan for the Elimination of the Worst Forms of Child Labor. It also reinvigorated key coordinating bodies, including the National Steering Committee on Child Labor and the National Coordinating Committee for Children. However, children in Zambia are subjected to the worst forms of child labor, including in agriculture and commercial sexual exploitation, each sometimes as a result of human trafficking. Children also perform dangerous tasks in agriculture. The Education Act does not specify a compulsory education age, and human trafficking laws do not meet international standards because they require threats, the use of force, or coercion to establish the crime of child trafficking. In addition, labor inspectors do not routinely inspect non-registered businesses in which child labor is known to occur.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zambia are subjected to the worst forms of child labor, including in agriculture and commercial sexual exploitation, each sometimes as a result of human trafficking. (1,2) Children also perform dangerous tasks in agriculture. (1) Table 1 provides key indicators on children's work and education in Zambia.

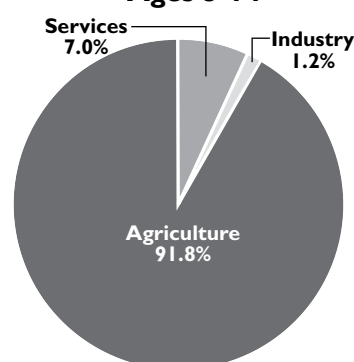
**Table 1. Statistics on Children's Work and Education**

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 (%)		80.0

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2021. (3)

Source for all other data: International Labor Organization's Analysis of Statistics from the Labour Force Survey (LFS), 2008. (4)

**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	Work in the production of cotton,† tobacco,† and other cash crops (1,5-7)
	Raising and herding† cattle (1,7,8)
	Fishing,† working on boats, and cutting and smoking fish (6,9)
	Production of charcoal† (6,10)
	Loading of timber (1)
Industry	Mining of ore and gems, including manganese (1,10,11)
	Work in quarries, including carrying heavy loads,† and crushing stones† (1,6,8)
Services	Domestic work (1)
	Street work, including begging and vending (1)

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**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 (1,2,12)
	Forced labor in agriculture, herding, construction, domestic work, mining, and textile production, each sometimes as a result of human trafficking (2,11,12)

† 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.

Child labor in Zambia is most prevalent in the agricultural sector and includes forced labor, sometimes resulting from human trafficking. (1,11,13) Traffickers exploit children from rural areas in Zambia for domestic work in cities and in agriculture. (2,14) Sources reported the exploitation of children for cattle herding, which sometimes involves parents repaying debts by sending children, particularly young boys, to work as cattle herders for the people to whom they are indebted. (1) Orphans and street children are particularly vulnerable to child trafficking. (2,15) In addition, traffickers exploit children from neighboring countries for forced labor and commercial sexual exploitation. (2)




Illegal mining syndicates, called *jerabo* gangs, in the Copperbelt province employ children for mining activities, including forcing children to load trucks with stolen copper ore. (2,16) In January 2019, three children, ages 11, 13, and 15, were killed during an accident at a manganese mine in which they were working. (17,18) Commercial sexual exploitation of children is common, particularly along Zambia's borders and transit corridors. (2,12) Research indicates that school closures resulting from the COVID-19 pandemic have expanded the vulnerability of children to the worst forms of child labor, including forced labor and commercial sexual exploitation. (12) The government has conducted regular Labor Force Surveys and published the results in 2011, 2014, and 2016, but these surveys did not include child labor data. The government included a child labor module in its 2018 Labor Force Survey, but these results are not yet available to the public. (19,20)

Long distances to schools, particularly in rural areas, an insufficient number of teachers and classrooms, and costs of learning materials are barriers to education. (1,11,21,22) The inability to access birth certificates and the high prevalence of 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 sometimes leave school before reaching the minimum working age and engage in work outside the household. (15,23,24)

## 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; Articles 16 and 81 of the Employment Code Act (25,26)
Minimum Age for Hazardous Work	Yes	19	Article 83 of the Employment Code Act (26)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Prohibition of Employment of Young Persons and Children (Hazardous Labor) Order; Section 137(2)(n) of the Employment Code Act (26,27,28)
Prohibition of Forced Labor	Yes		Articles 14 and 24 of the Constitution; Articles 143, 261, and 263 of the Penal Code; Article 3 of the Anti-Human Trafficking Act; Section 8 of the Employment Code Act (25,26,29,30)
Prohibition of Child Trafficking	No		Article 17 of Amendment to the Constitution; Article 143 of the Penal Code; Articles 2 and 3 (1-4) of the Anti-Human Trafficking Act; Sections 80 and 83 of the Employment Code Act (25,26,29,30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 143 and 144 of the Penal Code; Sections 80 and 83 of the Employment Code Act (26,30)
Prohibition of Using Children in Illicit Activities	Yes		Sections 80 and 83 of the Employment Code Act (26)
Minimum Age for Voluntary State Military Recruitment	Yes	18	Article 14 of the Defence Act (31)
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; Articles 80 and 83 of the Employment Code Act (29)
Compulsory Education Age	No		Article 16 and 17 of the Education Act (32)
Free Public Education	Yes		Article 15 of the Education Act (32)

\* No conscription (33)

The law establishes a light work framework for employment of children between ages 13 and 15, but has not identified permitted light work activities. (26,34) Moreover, human trafficking provisions remain inconsistent with international standards because they require demonstration of threats, force, intimidation, or other forms of coercion to constitute a child trafficking offense. (29)

The Education Act requires that the government provide free education up to the ninth grade and stipulates that education is compulsory for children of "school-going age." 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 and thereby increase their vulnerability to the worst forms of child labor. (32-35)

### 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 enforcement agencies 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. (36) Advises other government agencies on child labor issues and coordinates government efforts to combat child labor through its Child Labor Unit (CLU). (1) The CLU, which falls under the labor inspectorate, carries out inspections related to child labor. (37)
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. (1)

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

Organization/Agency	Role
Zambia Police Service	Collaborates with the Ministry of Justice to investigate and prosecute child labor cases. (38) Handles the enforcement of laws against human trafficking, commercial sexual exploitation, and the use of children in illicit activities through its Victim Support Unit. (11,39) Through its Child Protection Unit, works with immigration officials and local officials to respond to child trafficking, enforce child labor laws, and remove vulnerable children from the streets, placing them into families, foster homes, or in safe homes. (11)
Ministry of Justice	Prosecutes criminal law enforcement cases related to the worst forms of child labor through its Office of the Prosecutor. (11)
Ministry of Community Development and Social Services	Provides social services to victims of human trafficking or sexual abuse. Operates one government shelter in Luapula province. (2,14)

### Labor Law Enforcement

In 2020, labor law enforcement agencies in Zambia 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 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	2019	2020
Labor Inspectorate Funding	\$143,037 (11)	\$281,520 (1)
Number of Labor Inspectors	160 (11)	160 (1)
Inspectorate Authorized to Assess Penalties	Yes (11,26)	Yes (26)
Initial Training for New Labor Inspectors	Yes (11)	Yes (1)
Training on New Laws Related to Child Labor	Yes (11)	Yes (1)
Refresher Courses Provided	Yes (11)	Yes (1)
Number of Labor Inspections Conducted	615 (11)	630 (1)
Number Conducted at Worksite	615 (11)	630 (1)
Number of Child Labor Violations Found	Unknown (11)	1 (1)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	1 (1)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	1 (1)
Routine Inspections Conducted	Yes (11)	Yes (1)
Routine Inspections Targeted	Yes (11)	Yes (1)
Unannounced Inspections Permitted	Yes (26)	Yes (26)
Unannounced Inspections Conducted	Yes (11)	Yes (1)
Complaint Mechanism Exists	Yes (11)	Yes (1)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (11)	Yes (1)

Although the government increased the budget of the labor inspectorate to \$281,520 during the reporting period, allocated financial resources were likely insufficient to enforce laws related to child labor. (1,40) The MLSS has stated that inadequate resources, including an insufficient budget, limited office space, inadequate training, and a lack of transportation and fuel have prevented it from adequately conducting inspections countrywide. (6,11,35,41,42) The number of labor inspectors is likely 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. (43,44)

The MLSS generally conducts planned labor inspections in registered private institutions only; inspections of unregistered institutions, including at artisanal mining sites, farms, and private homes in which child labor is most common, primarily occur in response to complaints. (35,45,46) The MLSS is conducting community sensitization campaigns and coordinating with local police to build public understanding of the labor inspectorate's role and enforcement mandates to facilitate more inspections of private and unregistered institutions. (46)



### Criminal Law Enforcement

In 2020, 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 investigation planning.

**Table 7. Criminal Law Enforcement Efforts Related to Child Labor**

Overview of Criminal Law Enforcement	2019	2020
Initial Training for New Criminal Investigators	No (11)	No (1)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (1)
Refresher Courses Provided	No (11)	No (1)
Number of Investigations	5 (14)	Unknown (1)
Number of Violations Found	10 (14)	Unknown (1)
Number of Prosecutions Initiated	6 (14)	4 (1,12)
Number of Convictions	1 (14)	Unknown (1)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (14)	Unknown (1)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (1)

In 2020, the government coordinated with IOM to intercept more than 80 Ethiopian migrants, some as young as age 13, on route to South Africa; however, research could not determine if the migrants had been exploited for forced labor or commercial sexual exploitation. (12) During the reporting period, the government initiated at least four prosecutions for human trafficking related to worst forms of child labor; however, research could not determine if there were additional investigations or violations related to the worst forms of child labor, as the government did not publish disaggregated information on the ages of victims in cases related to human trafficking and other related forms of labor exploitation. (12) Government agencies do not have sufficient financial and human resources to address human trafficking, and standard operating procedures to screen and identify victims remain limited. (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 coordination among agencies.

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

Coordinating Body	Role & Description
National Steering Committee on Child Labor (NSCCL)	Advises and oversees child labor matters, including implementation of hazardous work regulations. Chaired by the MLSS and comprises government representatives, employers, trade unions, and civil society members. (11,38,47) In 2020, NSCCL was reconstituted to oversee the implementation of the second National Action Plan for the Elimination of the Worst Forms of Child Labor. (1)
District Child Labor Committees (DCLCs)	Respond to child labor complaints at the district level, file complaints to MLSS, and serve as the main referral mechanism for social welfare services in collaboration with the CLU of the MLSS. Comprises the Zambia Police Service; MLSS; the Ministry of Community Development, Mother, and Child Health; and civil society stakeholders. (11) Coordinate with Community Child Labor Committees (CCLC), which operate at the community level to raise awareness and promote mobilization against child labor. DCLCs, along with community-level committees, were active at the local level in 2020. (1)
National Coordinating Committee for Children	Coordinates the implementation of the National Child Policy and government responses to child protection issues, including child trafficking, sexual exploitation of children, and child labor. Led by the Ministry of Youth, Sport and Child Development (MYSCD) in coordination with DCLCs that operate in selected districts. (11) During the reporting period, the MYSCD undertook a reorganization of the committee to promote activity, which entailed revisions of the Committee's terms of reference and an expanded mandate to report on the implementation of international treaties and conventions related to children that the government has ratified. (1)
Inter-Ministerial Committee on Anti-Human Trafficking	Leads efforts to address human trafficking. (48) Chaired by the Ministry of Home Affairs and includes representation from MLSS, the Ministry of Justice, the Ministry of Health, the Ministry of Community Development and Social Services, the Ministry of Local Government, the MYSCD, the Zambia Police Service, the Department of Immigration, IOM, and a number of NGOs. (11) In 2020, the Inter-Ministerial Committee on Anti-Human Trafficking worked on a review of existing legislation and developing a National Policy on Human Trafficking and Smuggling of Migrants. (12)

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Overlapping responsibilities and communication lapses among government agencies may hinder coordination and their ability to implement their mandates related to the worst forms of child labor. (6,14)

During the reporting period, the government developed, but has not yet formally launched, a Child Labor Monitoring System (CLMS) to assist in coordinating information gathering, analysis, and dissemination from the community to the ward, constituency, district, provincial, and national-level MLSS office. The CLMS will be integrated into the Labour Market Information System, which is the mechanism for monitoring and evaluation of labor-related policies and programs. (1,49)

## 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 Policy	Outlines objectives for prevention and elimination of child labor and designates responsible agencies to address child labor issues. (38,50) During the reporting period, the government, in consultation with the ILO and other stakeholders, finalized the second National Action Plan for the Elimination of Child Labor, which is the implementation strategy for the National Child Labor Policy. (1,51) The government also held awareness-raising campaigns around the World Day Against Child Labor, reaching 3,000 teachers and pupils. (1)
7th National Development Plan (2017–2021)	Outlines Zambia's strategy to promote inclusive economic growth and national development to support Zambia's long-term goal of becoming a "middle income" country, including through the elimination of child labor, by 2030. Seeks to improve access to quality education and reduce poverty by 20 percent by 2021. (52) During the reporting period, the government coordinated with ILO to engage in awareness raising regarding child labor and build capacity of government staff and communities to respond to child labor. (1)
National Youth Policy	Outlines Zambia's strategies to ensure that social programs benefit vulnerable youth, including victims of commercial sexual exploitation and human trafficking. (53) In 2020, MYSCD targeted street children through a Street Children Rehabilitation and Reintegration program under the National Youth Policy, emphasizing skills training for street children, removal of children from streets, and reintegration of street children with guardians and families. (1)
UN's Sustainable Development Partnership Framework (2016–2021)	\$806 million framework that builds upon the previous UNDAF but with a stronger emphasis on partnership. Aims to prevent the worst forms of child labor and protect children. (54) In 2020, the UN and the government provided sensitization of parents, community organizations, and local traditional leaders on decent work, child labor, and COVID-19. (1)

‡ The government has other policies that may have addressed child labor issues or had an impact on child labor. (11,55-57)

During the reporting period, the government finalized its draft of the second National Action Plan for the Elimination of Child Labor (2018–2022), which will guide the implementation of the National Child Labor Policy. The new action plan promotes social protection systems that address poverty and economic shocks, which contribute to child labor, with attention to the economic fallout from the pandemic; also, it outlines the development of legal and regulatory mechanisms to promote compliance with public policy. (1,58) The government has not yet launched the policy. (1)

The government has a National Employment and Labor Market Policy, which outlines objectives for promoting decent work in Zambia, but the policy does not incorporate strategies for prevention and elimination of child labor. (59) Also, the government has not included child labor elimination and prevention strategies in the Education Policy. (60)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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 all relevant sectors.

**Table 10. Key Social Programs to Address Child Labor**

Program	Description
Social Cash Transfer Program†	Government program to provide funds to families and increase school enrollment. (38,61) As of September 2020, about 700,000 were receiving benefits under the Social Cash Transfer Program. (1) During the reporting period, the government, with support from Child Fund, UNICEF, Red Cross, Plan International, the World Food Program, and other organizations, launched an emergency expansion of the Social Cash Transfer Program to provide cash assistance to families to mitigate the economic hardships resulting from the pandemic. (1) The emergency program provides families with a monthly stipend of approximately \$18, along with nutritional support, and is expected to ultimately reach 249,200 households (around 1.2 million people). (1,62)
Achieving Reduction of Child Labor in Support of Education (ARISE)	Japan Tobacco International and Winrock International joint initiative that seeks to combat the worst forms of child labor in tobacco-growing communities in Brazil, Malawi, Tanzania, and Zambia. (21,63) In 2020, the ARISE project trained eight CCLCs and built the capacity of DCLCs in Kaoma and Nkeyema districts, and developed 15 community action plans to support communities to promote economic empowerment for families and independently continue child labor prevention programs in the future. In addition, an estimated 921 children, including 534 girls, were removed from child labor. (1)
Determined, Resilient, Empowered, AIDS-free, Mentored, and Safe (DREAMS)	\$30 million U.S. President's Emergency Plan for AIDS Relief and USAID-funded project to increase protections for vulnerable adolescent girls and young women through access to health services, including support for HIV prevention and treatment, family planning, care for survivors of gender-based violence, and economic empowerment activities to promote access to a basic income; a total of 177,015 adolescent girls and young women were enrolled in the program in 2020. (1,51,64-28)
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. (66) The EMPOWER program concluded at the end of 2020; during the year, the program provided training to local District Child Protection committees on child labor prevention and gender equality. (67) A total of 1,740 adolescent girls were provided education or vocational skills training during the life of the project. (58) Additional information is available on the USDOL <a href="#">website</a> .

† 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. (11,68)

Research indicates that problems with tracking of payments and cash flows within the Social Cash Transfer System resulted in irregular payment disbursements, including delayed and reduced payments, for vulnerable families receiving funds. (1,28) Moreover, an evaluation of the Social Cash Transfer Program found that it resulted in a net increase in child labor, particularly in farm work and cattle herding, because families used funds from the program to expand their agricultural and livestock holdings, which resulted in an increase of children's work activities within the home. Children were also more likely to work excessively long hours and there was no reduction in children's work outside of the home. (69) 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.

## 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).

**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 and the UN CRC Optional Protocol on Armed Conflict.	2018 – 2020
	Determine list of light work activities for children ages 13 to 15.	2018 – 2020
	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 – 2020
	Establish through statutory instrument the "school-going age" for compulsory education, in line with the minimum age for work.	2012 – 2020
Enforcement	Ensure that labor inspectors have sufficient funding and have resources, including vehicles and fuel, office space, and training to enforce labor laws throughout the country.	2010 – 2020
	Increase the number of labor inspectors to meet the ILO's technical advice.	2012 – 2020

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

Area	Suggested Action	Year(s) Suggested
Enforcement	Ensure that inspections cover all areas in which children work, including registered and unregistered businesses.	2010 – 2020
	Institutionalize training for criminal law enforcement investigators, including training for new investigators, training on new laws related to the worst forms of child labor, and refresher courses.	2019 – 2020
	Publish information on criminal law enforcement efforts, including the number of child labor investigations, violations, convictions, and imposition of penalties.	2014 – 2020
	Develop and implement consistent procedures to screen and identify human trafficking victims while ensuring government agencies have sufficient human and financial resources to address human trafficking.	2018 – 2020
Coordination	Improve lines of communication and clarify responsibilities among agencies to improve effectiveness and referrals to social services.	2011 – 2020
Government Policies	Integrate child labor elimination and prevention strategies into the Education Policy and the National Employment and Labor Market Policy.	2013 – 2020
Social Programs	Publish child labor data, including the results of the child labor module of the Labor Force Survey, to inform policies and programs.	2011 – 2020
	Ensure that all children have access to education and are not restricted by long travel distances, auxiliary school costs, lack of birth certificates, or marriage.	2012 – 2020
	Harmonize child labor prevention and elimination measures and improve financial tracking in the Social Cash Transfer.	2020
	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 – 2020

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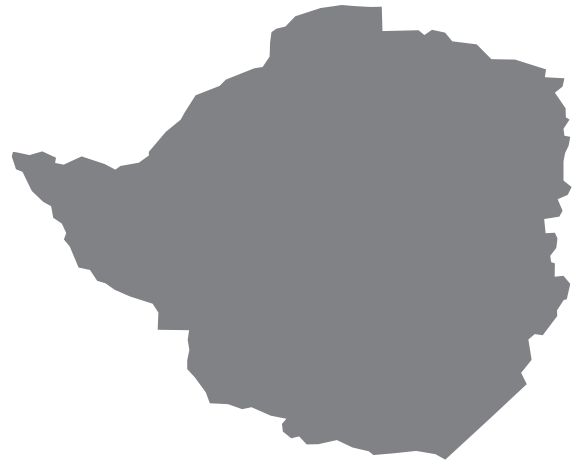
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In 2020, Zimbabwe made moderate advancement in efforts to eliminate the worst forms of child labor. The government enacted the Education Amendment Act, which raised the legal compulsory education age to 16. It also significantly expanded the Basic Education Assistance Module to provide assistance with school expenses to over 950,000 orphans and vulnerable children, while providing humanitarian assistance allowances for vulnerable families affected by the COVID-19 pandemic. However, children are subjected to the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the harvesting of sugarcane. The government did not publicly release information on its criminal law enforcement efforts, and law enforcement agencies lack resources to enforce child labor laws. In addition, gaps remain in the country's legal framework against child labor, including the prohibition of commercial sexual exploitation of children.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Zimbabwe are subjected to the worst forms of child labor, including in commercial sexual exploitation, mining, and tobacco production, each sometimes as a result of human trafficking. Children also engage in child labor in agriculture, including in the harvesting of sugarcane. (1,2) In 2020, the government published results from the Labor Force and Child Labor Survey conducted in 2019. The survey estimated that 71 percent of child labor occurred in the agriculture, forestry, and fishing sectors. (3) However, raw data from the government's Labor Force and Child Labor Survey have not been made publicly available for analysis. 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	40.4 (Unavailable)
Attending School (%)	5 to 14	90.7
Combining Work and School (%)	7 to 14	42.0
Primary Completion Rate (%)		98.5

Source for primary completion rate: Data from 2013, published by UNESCO Institute for Statistics, 2021. (4)

Source for all other data: International Labor Organization's analysis of statistics from UNICEF, Multiple Indicator Cluster Survey 6 (MICS 6), 2018. (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 tea, cotton, tobacco, corn, and sugarcane (2,6-12)
	Fishing, including casting nets, hauling fish loads, and sorting fish (2,9,12-14)
	Work in forestry, such as dragging logs from felling sites and loading logs for transport (12,14,15)
	Cattle herding (2,10)
Industry	Mining and panning of gold and chrome, using dangerous chemicals such as cyanide and mercury, and extracting material from underground passages and quarries† (11,12,16-19)
Services	Street work, including vending and begging (2,9,20-23)
	Domestic work (2,9,12)

# Zimbabwe

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**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 (24)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1,2,25-28)
	Forced labor in agriculture, including herding cattle, mining, and domestic work, each sometimes as a result of human trafficking (24,29)

† 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.

Deteriorating economic conditions, cholera outbreaks, drought, and food shortages likely make children more vulnerable to child labor. (11,30-33) Zimbabwean children living in border towns are trafficked to South Africa, Mozambique, and Zambia, where they become victims of commercial sexual exploitation and forced labor in domestic work. (34) Some families recruit rural children, especially orphans, to work in cities, often with promises of education or adoption. Such children are subject to domestic service or forced to work in mining, drug smuggling, or other illegal activities. (34,35) Girls under the age of 18 are subjected to commercial sexual exploitation, particularly along major transit corridors and in mining areas. (1,2,17,24,28,36)






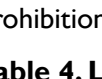
Children ages 12 to 17 work on tobacco farms, performing activities such as planting, weeding, harvesting, packing, and grading tobacco, tasks that often expose them to toxic chemicals and the effects of nicotine from handling tobacco leaves. (8,19,37) Children also work on sugar plantations in the southeastern part of the country, where they wield dangerous tools and endure high temperatures. (10,38) Moreover, there has been an increase in children working at artisanal and small-scale gold-mining sites, where they face risks including collapsed mines and exposure to mercury, and in commercial sexual exploitation around mining areas. Worsening economic conditions, as well as school closures and lockdown restrictions related to the pandemic, likely exacerbated these trends in 2020. (16-18,39,40) In some cases, armed criminal groups have taken children into underground mines and forced them to mine gold under threat of physical harm. (29) During the pandemic, multiple civil society stakeholders have also observed greater numbers of children engaged in vending, brickmaking, work on tobacco and sugarcane farms, and in the worst forms of child labor, including the use of children in the sale of drugs and commercial sexual exploitation. (17,23,41,42)

The Education Amendment Act stipulates children's right to education irrespective of race, nationality, or place of birth. (43,44) However, undocumented children who come to Zimbabwe from neighboring countries, and children who otherwise lack birth certificates, face barriers to education because, beginning in grade seven, children must present identity documents to sit for national exams. (2,45) Many children, especially those in rural areas, are not registered at birth because many Zimbabweans are unaware of birth registration requirements. In addition, impoverished parents sometimes leave their children under the care of other relatives, an arrangement that often complicates the process of obtaining a birth certificate because Zimbabwe requires the presence of at least one parent for birth registration. (46) As a result of these barriers, children may drop out of school, increasing their vulnerability to child labor. (2,9,47,48) In addition, poor school infrastructure, including lack of water and hygiene facilities, an insufficient number of teachers, and long travel distances to reach schools may contribute to higher dropout rates and vulnerability to child labor, particularly in rural areas. (2)

## 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 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	Section 11.1 of the Labor Act and Section 10A(1) of the Children's Act (49,50)
Minimum Age for Hazardous Work	Yes	18	Section 11.4 of the Labor Act and Section 10A(4) of the Children's Act (49,50)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Section 3.1 of Labour Relations (Employment of Children and Young Persons) Regulations and Section 2 and 10A(4) of the Children's Act (49,51)
Prohibition of Forced Labor	Yes		Sections 54 and 55 of the Constitution, Section 4A of the Labor Act (50,52)
Prohibition of Child Trafficking	Yes		Section 3 of the Trafficking in Persons Act (53)
Prohibition of Commercial Sexual Exploitation of Children	No		Section 61, 83, 86, and 87 of the Criminal Law Act; Section 8(2)a of the Children's Act; Section 3 of the Trafficking in Persons Act (49,53,54)
Prohibition of Using Children in Illicit Activities	Yes		Section 156 of the Criminal Law Act and Section 10 of the Children's Act (49,54)
Minimum Age for Voluntary State Military Recruitment	Yes	16	Sections 5, 9, and 10 of the National Service Act (55)
Prohibition of Compulsory Recruitment of Children by (State) Military	Yes		Section 9 of the National Service Act (55)
Prohibition of Military Recruitment by Non-state Armed Groups	No		
Compulsory Education Age	Yes	16‡	Sections 2 and 5 of the Education Act (43,44)
Free Public Education	No		Section 5, 6, and 13 of the Education Act (43,44)

‡ Age calculated based on available information (56)

In 2020, the government enacted the Education Amendment Act, establishing compulsory education up to Form 4 (age 16). (44,57) The new law also mandates the provision of sanitary and menstrual health supplies and facilities for girls, and strengthens provisions protecting children from discrimination in education to include children with disabilities, girls who are pregnant, and other vulnerable groups. (44,58,59) Although the updated Education Act establishes the right of children to state-funded education up to age 16, the law maintains the ability of the Minister of Education to institute instructional fees. (43,44)

Laws do not sufficiently prohibit commercial sexual exploitation, as they do not criminally prohibit the use of children in the production of pornography or for pornographic performances. (54,60,61)

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### 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 and operations of enforcement agencies 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-human trafficking laws and investigates labor-related complaints, including those involving child labor. (11) Also conducts industry- and sectoral-based labor inspections through appointed agents of national employment councils, comprising representation from both employers' associations and trade unions. (62,63) Provides child protection services, including investigating, intervening in, and reporting on child abuse cases through its Department for Child Welfare. (35)
Zimbabwe Republic Police	Enforce laws related to the worst forms of child labor in conjunction with the MPSLSW and the Ministry of Justice, Legal and Parliamentary Affairs. (11)
Ministry of Justice, Legal and Parliamentary Affairs	Oversees all courts, including labor courts. Addresses human trafficking and child victim cases through victim-centered courts. (11)

#### Labor Law Enforcement

In 2020, labor law enforcement agencies in Zimbabwe took actions to combat child labor (Table 6). However, gaps exist within the authority of the Ministry of Public Service, Labor and Social Welfare (MPSLSW) that may hinder adequate labor law enforcement, including authority to assess penalties.

**Table 6. Labor Law Enforcement Efforts Related to Child Labor**

Overview of Labor Law Enforcement	2019	2020
Labor Inspectorate Funding	Unknown (11)	\$25,000 (2)
Number of Labor Inspectors	Unknown (11)	120 (2)
Inspectorate Authorized to Assess Penalties	No (11,64)	No (2,64)
Initial Training for New Labor Inspectors	Unknown (11)	Yes (2)
Training on New Laws Related to Child Labor	N/A (11)	N/A (2)
Refresher Courses Provided	Unknown (11)	Yes
Number of Labor Inspections Conducted	Unknown (11)	1,860 (2)
Number Conducted at Worksite	Unknown (11)	1,860 (2)
Number of Child Labor Violations Found	Unknown (11)	0 (2)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (11)	N/A (2)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (11)	N/A (2)
Routine Inspections Conducted	Unknown (11)	Yes (2)
Routine Inspections Targeted	Unknown (11)	Yes (2)
Unannounced Inspections Permitted	Yes (50)	Yes (50)
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)

The labor inspectorate staffs 120 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. (11,65) The limited number of inspectors and a lack of resources, such as available vehicles, likely hinder the inspectorate's ability to conduct child labor investigations and adequately monitor rural farms at which child labor occurs. (2,62) Furthermore, labor inspectors also oversee arbitration and conciliation, a responsibility that compromises their ability to conduct onsite investigations to combat child labor. (62)

During the reporting period, the government held three training workshops for both new and current inspectors, which included content on laws and enforcement of laws related to child labor. (2)



### Criminal Law Enforcement

In 2020, 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	2019	2020
Initial Training for New Criminal Investigators	Unknown (11)	Unknown (2)
Training on New Laws Related to the Worst Forms of Child Labor	N/A (11)	N/A (2)
Refresher Courses Provided	Yes (11)	Unknown (2)
Number of Investigations	1 (24)	Unknown (2)
Number of Violations Found	1 (24)	Unknown (2)
Number of Prosecutions Initiated	4 (24)	Unknown (2)
Number of Convictions	Unknown (11)	Unknown (2)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Unknown (11)	Unknown (2)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (11)	Yes (2)

The government did not provide information on its criminal law enforcement efforts related to the worst forms of child labor. (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 information on the activities of key coordinating bodies.

**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 Economic Empowerment. (2) Also includes international organizations and civil society groups, such as workers' and employers' organizations. (2)
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 Economic Empowerment. (11) Includes Child Protection Committees, which operate at the village, ward, district, provincial, and national levels, to discuss issues affecting children, including child labor. (66)
Anti-Trafficking Inter-Ministerial Committee	Coordinates actions to combat human trafficking, including the implementation of the Trafficking in Persons National Plan of Action (NAPLAC). (24,67)
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. (68) Also includes the Ministry of Home Affairs, represented by the Zimbabwe Republic Police. (66)
Child Protection Committees	Operates at the village, ward, district, and provincial levels to discuss issues affecting children, including child labor. (11) Representatives include ministries, civil society, local volunteers, and teachers. Reports to the ministry-level Committee on Children's Issues. (66)

Research was unable to determine whether coordinating bodies were active during the reporting period. (2) In addition, a lack of funding hinders coordinating bodies from carrying out their mandates. (2,69)

## 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 key policies.

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**Table 9. Key Policies Related to Child Labor**

Policy	Description
National Action Plan to Combat Child Labor	Promotes understanding of child labor issues and creates an entity to coordinate responses to the findings. Consists of three focus areas: education assistance, poverty assistance through a cash transfer scheme, and health assistance. (2) Research was unable to determine whether activities were undertaken to implement the National Action Plan to Combat Child Labor during the reporting period.
Trafficking in Persons National Plan of Action (NAPLAC) (2019–2021)	Aims to implement the Palermo Protocol through the development of strategies to combat human trafficking, with an emphasis on prevention, protection, prosecution, and partnership. (24,70) The government began operationalization of NAPLAC during the reporting period. (29)
Zimbabwe UN Development Assistance Framework (2016–2020)	Integrated child labor prevention strategies in the Education for All campaign headed by the UN. Promoted gender equality and reduction of AIDS/HIV prevalence, and allocated social resources to address child labor. (71)

‡ The government had other social programs that may have included the goal of eliminating or preventing child labor. (32)

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2020, 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
Harmonized Social Cash Transfer (HSCT)†	Government-funded unconditional cash transfer program, with support from UNICEF, to assist labor-constrained and food-insecure households to avert risk-coping strategies, such as child labor. (2,72) In 2020, the government budgeted \$23 million to the HSCT program, an increase from previous years. (73)
Basic Education Assistance Module†	Government program, with support by the UK Foreign Commonwealth and Development Office (FCDO), 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 because of economic hardship. (11) Covered tuition, examination fees, and levies for 950,000 orphans and other vulnerable children in 2020. Plans to expand coverage to 1.2–1.5 million children in 2021, including a budgetary increase of over \$1.2 million, and to broaden the scope of the program to include uniforms and books. (12,74,75)
Mobile Birth Registration Program†	Government mobile birth registration program, implemented by the Registrar General's office and some local governments, to ensure that citizens receive identity documents, including birth certificates. (46,76) Fields mobile teams in every district in the country. (35) Active in 2020. (46)
Child Protection Fund for the National Action Plan for Orphans and Vulnerable Children (2016–2022)	UNICEF Child Protection Fund program, supported by FCDO, that focuses on equity and access to quality education for children and provides child protection services. Provided cash assistance for families to keep children in school. (32,77,78) As of May 2020, UNICEF had provided psychosocial support activities, reaching 87,836 children, including children with disabilities and support for parents and caregivers. In coordination with the MPSLSW, UNICEF also provided family tracing and reunification to 167 street children. (79,80)
Determined, Resilient, Empowered, AIDS-free, Mentored, and Safe (DREAMS)	\$106 million, U.S. President's Emergency Plan For AIDS Relief (PEPFAR)/USAID-funded country program that aims to reduce rates of HIV among adolescent girls and young women, including girls vulnerable to commercial sexual exploitation. Targeted more than 163,000 participants in 2020. (81,82)

† Program is funded by the Government of Zimbabwe.

During the pandemic in 2020, the government provided monthly humanitarian allowances, ranging from \$1 to \$2, to vulnerable households affected by the pandemic, including 500,000 informal sector workers and 700 street children. (74,75)

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. Research found that there are problems with the distribution of social support benefits because structures within the ruling party control the allocation of food, allowances, seeds, and other forms of assistance, which may result in the exclusion of vulnerable families from assistance programs. (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 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 – 2020
	Establish by law free basic education.	2009 – 2020
	Ensure that the law criminally prohibits the use, procuring, and offering of a child for the production of pornography and pornographic performances.	2019 – 2020
Enforcement	Authorize the labor inspectorate to assess penalties for labor law violations.	2017 – 2020
	Significantly increase the number of labor inspectors to meet the ILO's technical advice.	2016 – 2020
	Ensure that the labor inspectorate has sufficient financial and human resources to address labor violations and enforce minimum age protections in all sectors, including agriculture.	2017 – 2020
	Publish information on the government's criminal law enforcement efforts.	2015 – 2020
Coordination	Ensure that all coordinating bodies are able to carry out their intended mandates.	2016 – 2020
Government Policies	Publish activities undertaken to implement the National Action Plan to Combat Child Labor.	2010 – 2020
Social Programs	Improve access to secondary school by ensuring that all children are registered at birth and by removing identity documentation requirements to take national exams.	2014 – 2020
	Enhance efforts to make education accessible to all children, including children living in rural areas, by improving access to water and hygiene facilities within schools, reducing travel distances to schools, and increasing the number of teachers.	2016 – 2020
	Expand existing social programs to address child labor, especially child labor in agriculture, commercial sexual exploitation, and mining.	2010 – 2020
	Improve systems for the distribution of social support benefits to ensure that allocations reach vulnerable households that are most in need of the benefits.	2020

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# 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** by downloading USDOL's *Sweat & Toil* and *Comply Chain* apps and accessing our *Better Trade Tool*.
- **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*.

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